

PB# 98-41

LIZZIE REALTY SITE PLAN

65-2-16.1

98 - 41 Lizzie Realty Site Plan
(RAL Plumbing) Rt. 32 (Shaw)

Approved 4-12-99

DATE November 16, 1998 RECEIPT NUMBER 98-41
 RECEIVED FROM Shaw Engineering
 Address P.O. Box 2569-Newburgh, N.Y. 12550
Seven Hundred Fifty 00/100 DOLLARS \$ 750.00
 FOR Site Plan Escrow

ACCOUNT			HOW PAID		
BEGINNING BALANCE	750	-	CASH		
AMOUNT PAID	750	-	CHECK	#8943	
BALANCE DUE	-0	-	MONEY ORDER		

BY Maura Mason

DATE November 16, 1998 RECEIPT NUMBER 037355
 RECEIVED FROM Shaw Engineering
 Address One Hundred and 00/100 DOLLARS \$ 100.00
 FOR Planning Board Application #98-41

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	#8942	
AMOUNT PAID			CHECK	100 00	
BALANCE DUE			MONEY ORDER		

BY Dorothy N. Hansen

DATE April 12, 1999 RECEIPT NUMBER 98-41
 RECEIVED FROM Lizzie Realty, Inc.
 Address P.O. Box 429-Middletown, NY 10940
Eight Hundred Fifty-Two 40/100 DOLLARS \$ 852.40
 FOR 2% Inspection fee

ACCOUNT			HOW PAID		
BEGINNING BALANCE	852	40	CASH		
AMOUNT PAID	852	40	CHECK	#1026	
BALANCE DUE	-0	-	MONEY ORDER		

BY Maura Mason, Secretary

DATE April 12, 1999 RECEIPT NUMBER 039163
 RECEIVED FROM Lizzie Realty, LLC
 Address One Hundred and 00/100 DOLLARS \$ 100.00
 FOR P/B Approval Fee (#98-41)

ACCOUNT			HOW PAID		
BEGINNING BALANCE			CASH	#1005	
AMOUNT PAID			CHECK	100 00	
BALANCE DUE			MONEY ORDER		

BY Dorothy N. Hansen

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/12/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 98-41

NAME: LIZZIE REALTY, LLC - RETAIL EXPANSION
APPLICANT: LIZZIE REALTY, LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/12/1998	REC. CK. #8943	PAID		750.00	
11/18/1998	P.B. ATTY. FEE	CHG	35.00		
11/18/1998	P.B. MINUTES	CHG	63.00		
04/05/1999	P.B. ENGINEER FEE	CHG	254.00		
04/12/1999	RET. TO APPLICANT	CHG	398.00		
		TOTAL:	750.00	750.00	0.00

4/12/99
L.R.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/12/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
APPROVAL

FOR PROJECT NUMBER: 98-41

NAME: LIZZIE REALTY, LLC - RETAIL EXPANSION
APPLICANT: LIZZIE REALTY, LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/05/1999	SITE PLAN APPROVAL FEE	CHG	100.00		
04/08/1999	REC. CK. #1025	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/12/1999

PAGE: 1

LISTING OF PLANNING BOARD **FEES**
4% FEE

FOR PROJECT NUMBER: 98-41

NAME: LIZZIE REALTY, LLC - RETAIL EXPANSION
APPLICANT: LIZZIE REALTY, LLC

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
04/05/1999	2% OF \$42,620.00 INSPECT	CHG	852.40		
04/08/1999	REC. CK. #1026	PAID		852.40	
		TOTAL:	852.40	852.40	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/13/1999

PAGE: 1

LISTING OF PLANNING BOARD **ACTIONS**

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 98-41

NAME: LIZZIE REALTY, LLC - RETAIL EXPANSION
APPLICANT: LIZZIE REALTY, LLC

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/12/1999	PLANS STAMPED	APPROVED
11/18/1998	P.B. APPEARANCE . INCREASE LIGHTING ON DRIVEWAY SIDE	LA:ND WV PH APP COND
10/07/1998	WORK SESSION APPEARANCE	SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 04/13/1999

PAGE: 1

LISTING OF PLANNING BOARD **SEQRA** ACTIONS

FOR PROJECT NUMBER: 98-41

NAME: LIZZIE REALTY, LLC - RETAIL EXPANSION
APPLICANT: LIZZIE REALTY, LLC

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
16IG	11/19/1998	EAF SUBMITTED	11/16/1998	WITH APPLICATION
16IG	11/19/1998	CIRCULATE TO INVOLVED AGENCIES	11/18/1998	UNCOORDINATED
16IG	11/19/1998	LEAD AGENCY DECLARED	11/18/1998	TOOK LEAD AGENCY
16IG	11/19/1998	DECLARATION (POS/NEG)	11/18/1998	DECL. NEG. DEC
16IG	11/19/1998	SCHEDULE PUBLIC HEARING	/ /	
16IG	11/19/1998	PUBLIC HEARING HELD	/ /	
16IG	11/19/1998	WAIVE PUBLIC HEARING	11/18/1998	WAIVED PH
16IG	11/19/1998	AGRICULTURAL NOTICES	/ /	

Lizzie

4-5-99

98-41

SITE PLAN FEES - TOWN OF NEW WINDSOR
(INCLUDING SPECIAL PERMIT)

APPLICATION FEE:.....\$ 100.00

* * * * *

ESCROW:

SITE PLANS (\$750.00 - \$2,000.00).....\$

MULTI-FAMILY SITE PLANS:

 UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)....\$

 UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS)....\$

TOTAL ESCROW PAID:.....\$

* * * * *

PLAN REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 100.00 ①

PLAN REVIEW FEE (MULTI-FAMILY): A. \$100.00
PLUS \$25.00/UNIT B.

TOTAL OF A & B: \$

RECREATION FEE: (MULTI-FAMILY)

\$500.00 PER UNIT

NUMBER OF UNITS

@ \$500.00 EA. EQUALS: \$

SITE IMPROVEMENT COST ESTIMATE: \$ 42,620.-

2% OF COST ESTIMATE \$ EQUALS \$ 852.40 ②

TOTAL ESCROW PAID:.....\$ 750.00

TO BE DEDUCTED FROM ESCROW: 352.-

RETURN TO APPLICANT: \$ 398.-

ADDITIONAL DUE: \$

Shaw Engineering

Consulting Engineers

744 Broadway
P.O. Box 2569
Newburgh, New York 12550
[914] 561-3695

February 22, 1999

Chairman James Petro and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Re: Retail Expansion For Lizzie Realty, LLC
Windsor Highway, Town Of New Windsor

Gentlemen:

We have presented below for your consideration our Construction Estimate for the site improvements for the Retail Expansion For Lizzie Realty, LLC.. Our estimate is as follows:

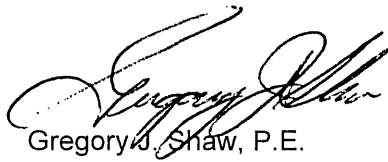
CONSTRUCTION ESTIMATE

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>
Macadam Pavement	1,840 S.Y.	\$ 10	\$ 18,400
Pavement Markings	610 L.F.	\$.40	\$ 245
Concrete Curbing	600 L.F.	\$ 10	\$ 6,000
Handicap Sign/Striping	2	\$ 100	\$ 200
Concrete Sidewalk/Steps	200 S.Y.	\$ 35	\$ 7,000
 Catch Basins	 2	 \$ 800	 \$ 1,600
Storm Drain Piping	150 L.F.	\$ 15	\$ 2,250
Rip-Rap Protection	L.S.	\$ 200	\$ 200
 Poles With One Luminaire	 3	 \$ 900	 \$ 2,700
Poles With Two Luminaires	1	\$ 1,200	\$ 1,200
Trees	14	\$ 100	\$ 1,400
Shrubs	57	\$ 25	\$ 1,425
 Total			 \$ 42,620

Should this Estimate be acceptable to your Board, my client will pay the 2% inspection fee of \$852.40.

Respectfully submitted,

SHAW ENGINEERING

A handwritten signature in black ink, appearing to read "Gregory J. Shaw", is written over the printed name.

Gregory J. Shaw, P.E.
Principal

GJS:mmv

cc: David E. Berman, Lizzie Realty, LLC



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(570) 296-2765

MEMORANDUM

31 March 1999

TO: MYRA MASON, P.B. SECRETARY

FROM: MARK J. EDSALL, P.E., PLANNING BOARD ENGINEER

SUBJECT: LIZZIE REALTY SITE PLAN (98-41)

A handwritten signature in dark ink, appearing to be 'MJE', located to the right of the 'FROM' line.

I have reviewed the cost estimate in connection with the subject application. Same appears acceptable.

The value of the inspection fee is \$852.40

Attached is our final printout of fees for the project. Contact me if you have any questions.

AS OF: 03/31/99

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56

NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 98- 41

FOR WORK DONE PRIOR TO: 03/31/99

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE
98-41	132486	10/07/98	TIME	MJE	WS RAL	75.00	0.40	30.00			
98-41	135448	11/16/98	TIME	MJE	MC RAL W/SHAW	75.00	0.30	22.50			
98-41	135453	11/17/98	TIME	MJE	MC RAL	75.00	0.60	45.00			
98-41	134564	11/18/98	TIME	MCK	CL LIZZIE RVW COMMENTS	28.00	0.50	14.00			
98-41	135455	11/18/98	TIME	MJE	MC RAL	75.00	0.10	7.50			
98-41	135559	11/18/98	TIME	MJE	MM LIZZIE S/P COND APP	75.00	0.10	7.50			
98-41	135545	12/03/98	TIME	MJE	MC RAL W/SHAW	75.00	0.30	22.50			
								149.00			
98-41	135819	12/16/98			BILL 98-1260					-149.00	
										-149.00	
98-41	141113	02/09/99	TIME	MJE	MC LIZZIE RLTY W/SHAW	75.00	0.40	30.00			
98-41	141131	02/10/99	TIME	MJE	MC LIZZIE RLTY	75.00	0.50	37.50			
98-41	144557	03/31/99	TIME	MJE	MC IMP EST & CLOSEOUT	75.00	0.50	37.50			
								105.00			
98-41	143127	03/15/99			BILL 99-282					-67.50	
										-67.50	
					TASK TOTAL			254.00	0.00	-216.50	37.50
					GRAND TOTAL			254.00	0.00	-216.50	37.50

REGULAR ITEMS:

LIZZIE REALTY, LLC SITE PLAN AMENDMENT (98-4) RT. 32

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: This is in the RAL building which I believe is the downstairs we're discussing?

MR. SHAW: Yes, correct. With me tonight is David Berman, who's a principle with Lizzie Realty and also is the President of RAL Supply Group. As this board is aware, I believe Mr. Berman gave a brief presentation a couple weeks ago about this site. This is immediately north of the Windsor Farms site, which this board presently reviewed. The common drive that I referred to with respect to Windsor Farms is now located on the north side of this property. As the board is aware, Mr. Berman took title to this parcel and has done a very nice job in renovating the upper level of this building and has refurbished all the parking area in the front. What we're proposing to do is to create similar kind of space in the lower level, that we're proposing there's going to be a combination of retail space, some office space, display and warehouse space. Now, that mix may change when the tenant comes on board. There may be one tenant, maybe a couple tenants and the combination of the square footage may vary also but we'd have to comply with the zoning requirements at that time. But with that, along comes this drive, a concrete sidewalk which is going to connect the upper level to the lower level and a new parking area which is going to consist of approximately 29 parking spaces. This parcel is similar to the Windsor Farms site is in the C zone and also in the R-4 zone. The only new construction that will be taking place in the R-4 zone will be the parking area to the back and that will be protruding in about 64 feet. There's no new building construction anticipated at this time. Based upon the zoning ordinance and the parking spaces for both the upper level and the lower level and the actual uses for the upper level and projected uses for the lower level, we're satisfying the zoning of a total of 64 parking spaces. So, that's a brief overview, Mr. Chairman.

Again, we're looking as far as physical improvements to the site, the curb cut on the southerly property line, the macadam drive to access the rear parking lot, concrete sidewalk along the south and the east side of the building and a 29 space parking lot on the east side of the building.

MR. PETRO: One important question, Mark or Greg right off the bat, obviously we have a C zone and we have R-4 zone, now we know that from past experiences that we can encroach into the next zone by 30 feet without requiring a variance. Obviously, your parking is more than 30 feet and it's in the R-4 zone, how do we treat that without asking for a variance?

MR. LANDER: But I believe that is only with the building, Mr. Chairman, not parking.

MR. PETRO: Is that so?

MR. EDSALL: I believe so, wasn't it an issue, did you discuss that with the ZBA?

MR. SHAW: I went to the Zoning Board of Appeals on a couple of pieces but most recently on Windsor Farms piece immediately to the south and we protruded into the R-4 zone not only with parking and aisles but also with a building about 30 feet and the zoning board came back with an interpretation basically stating that we were allowed to encroach into the R-4 zone because very simply, what else could we do with the balance of that property, put a house on the same lot as a retail building. So they gave the proper interpretation for this piece, I think it would be a logical extension to think that it would also apply to that parcel immediately to the north.

MR. PETRO: I agree with you a hundred percent, except I want to make sure we don't have to go there for them to tell us that and I agree what you're saying and I'm sure that's going to be their findings. I don't want to cut them out of their job and I want to find out if legally we can proceed without doing that, Andy, I'll turn it over to you because his findings are going to be, that's what they're going to come up with for sure.

MR. KRIEGER: As long as the building doesn't encroach, I don't see where the Windsor Farms application, the building did encroach.

MR. SHAW: Correct.

MR. KRIEGER: So an interpretation was necessary but here, there's no encroachment at all.

MR. PETRO: But I disagree, if the building was encroaching less than 30 feet in the Windsor Farms, he didn't even need zoning board, you're allowed to go 30 feet within the next zone, so they had it no matter what.

MR. KRIEGER: As I recall, the building encroachment was close to 30 feet, it was, there was a question as to whether it was inside or outside.

MR. SHAW: Correct.

MR. KRIEGER: And it was so close it was unresolved.

MR. SHAW: Just to support our position, Mr. Chairman, this building, the lower level was used for storage. At present, there's a loading dock to the rear, would you access the loading dock coming down this drive and turning in this area, so this area which is in the R-4 zone has been used for many years to work with the commercial space up above.

MR. PETRO: It's a little different application.

MR. EDSALL: The way the law reads when the lot's split, if more than 50% of the lot is within what they call the less restrictive district, which would be the commercial district, you're allowed to apply the less restricted district requirements into the more restricted district 30 feet, but they say the regulations prescribed by this local law now the regulations prescribed by this local law have to do with setbacks, and bulk compliance as well and I don't know that you have regulations anyplace in the zoning code which talks about setbacks for parking. So I

think if it was a building, then you have a concrete regulatory item to enforce, but there are no provisions for setback on parking and so on for that more restricted district.

MR. BABCOCK: Mr. Chairman, just keep in mind that every business along 32 has this 200 foot C zone and every one of them goes back into the R-4 zone and as we seen on the last applicant their parking is back there too.

MR. EDSALL: So, the answer is that the encroachment applies more to the bulk regulations and the bulk regulations don't speak to parking lots so since their building doesn't go back into that area, I don't believe we have a problem.

MR. PETRO: Okay, that's enough of that. Next subject.

MR. LANDER: Mr. Shaw, show curbing all enclosed in this new parking lot.

MR. SHAW: Yes, we do.

MR. LANDER: Concrete curbing?

MR. SHAW: We evaluated against macadam very carefully but it will be concrete curbing.

MR. PETRO: The parking, handicapped parking up front I guess Mark, you want to get that straightened out?

MR. EDSALL: I'm just suggesting and asking that the applicant cooperate the next time they stripe the parking lot or if at the same time they are striping the rear parking lot, they can possibly get the handicapped spaces that are on the existing north side of the upper level.

MR. BERMAN: It's been scheduled to be redone.

MR. EDSALL: So, again, I don't see any reason to do it separately but while they are striping, it would make sense to include that.

MR. PETRO: Andy, discharge of the drainage near bottom of the drive, Mark, do you want to go over that?

MR. EDSALL: It looks as if as you're coming down the drive, there's a small gutter inlet being created to pick up the storm water running along the north side along that curb into that one basin. But I don't know that the other half of the drainage on that roadway and whatever is going to discharge straight on into that what's shown as a landscaped area, discharge straight on into that what's shown as a landscaped area down at the very bottom.

MR. ARGENIO: Where is that on the south side?

MR. EDSALL: Well, the east end of the drive before it turns and goes into the lower parking lot, so I just wonder whether or not given the fact we're going to pick up the whole road, we may want to provide other than that single inlet maybe put into the inlet to pick up.

MR. LANDER: Mark, what did they divide on the property right adjacent to this?

MR. EDSALL: On the adjacent property, there's no drive like this.

MR. LANDER: Right but what's going to be there, is it just going to be curb then landscaping down to this edge of this pavement here?

MR. EDSALL: As far as the finish on the other side, I don't know that there's any finish shown.

MR. SHAW: The intent is with respect to the storm water generated by that driveway is to leave it continue to flow as it presently does down the driveway and sheet flow towards the creek or maybe it flows over the culvert and onto the lands of Sorbello and Boyea, in my opinion, it's basically their storm water. The reason we put this catch basin in is again is not really to create this drive to access the property in the rear but really collect the storm water that may impact the lower parking lot, that's the reason why we

picked up the storm drainage on our side of the drive and the balance is going to flow the way it presently flows now.

MR. LANDER: It's going to go to the stream, I mean, the curb wraps around then that side of the road is going to sheet flow over to the stream.

MR. ARGENIO: So there's no real big flow of water going somewhere that's going to wash, on top of which it's on somebody else's property.

MR. EDSALL: It's within the shared right-of-way.

MR. ARGENIO: Right.

MR. EDSALL: My only comment is that in fact you're now creating a crowned paved roadway that's going to be used for access down in that lower level. There's the opportunity to put a basin opposite that one rather than have it flow straight through what's now shown as a landscaped area and as well aimed directly at the second of the box culverts currently in failure. I don't think that adding drainage to a failed box culvert is prudent but the board can do what they wish.

MR. PETRO: How about lighting on the rear lot?

MR. SHAW: Yes, there is lighting, we have at least three fixtures, if you look on drawing number 6 you'll see that we have two fixtures which light up the rear parking lot and three wall packs on the southerly side of the building and there's adequate foot candle illumination throughout the entire parking area and along the sidewalk.

MR. PETRO: How do you know there's adequate illumination?

MR. SHAW: Based upon the foot candles generated by fixtures.

MR. PETRO: But you didn't do an isolux.

MR. SHAW: Sure I did.

MR. LANDER: Mr. Shaw's right on top of it.

MR. PETRO: As long as you say there's enough. Mark, do you verify?

MR. EDSALL: I don't agree. I don't believe there is adequate lighting along the road going down the hill because the walkway is covered fine, but you're barely hitting a half a foot candle in the driveway, that again is in one scenario of 8 percent slope as your only access to the entire area in the back.

MR. PETRO: There are other lights on the building on the second story?

MR. SHAW: No. What's going to happen and then, if you go to the illumination plan and it's not in the plan that's with the planning board, it's a separate drawing I submitted for the Windsor Farms site, they have substantial lighting that's going to bleed over onto this roadway. So, if you were to pull that drawing out and take a look at the illumination of this roadway based upon the site lighting that will be for the 11,000 square foot building you'll see that that is going to create the illumination for the roadway.

MR. PETRO: That's great in reality, that's probably going to work, but we can't use lighting from another site. What if they go broke and shut the lights off and we have no lighting on this man's site, we can't really use that. Yet, in reality, I agree, it's going to be there, I don't see anybody going broke here, but if they cannot pay the bill and it's off, that's the same as using shared parking, you know what I'm saying? Just trying to make it work. You need something else there. Mark, you agree, how can you use lighting from the other site?

MR. EDSALL: You have no guarantee that the hours will match, even if they both are in business, I mean, the point is is that normally, the board looks and I think it's a very liberal number of at least one to two foot candles on access drives and we've got barely a half a foot candle to the middle of the road.

MR. PETRO: I think the building is very high on that south side, maybe a couple more wall packs higher that can put some light.

MR. SHAW: If the board feels that they want illumination on that drive, independent of what's going to be configured by the project to the south, we'll give you the illumination, we didn't feel it was necessary and just an extra expense that my client had to foot.

MR. PETRO: I think you should have something there. Let's discuss public hearing, motion for lead agency.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare itself lead agency for the Lizzie Realty LLC site plan. I have to withdraw that motion because we have to send out a coordination letter, I didn't read that position. Motion's withdrawn. We'll issue a distribution of lead agency coordination letter. Mark, you'll take care of that?

MR. EDSALL: Sure will.

MR. PETRO: Thirty days from now, if we don't hear back, we'll assume we're lead agency and do it at the next meeting. As far as the public hearing goes, we can discuss it now, can we actually have a public hearing or order a public hearing before we even get lead agency? I doubt that we can discuss it.

MR. EDSALL: I don't see why you couldn't have a public hearing and get all the comments into the minutes and then once you're lead agency, formally, you can consider what's already in the record, so I wouldn't want to hold him up at all.

MR. PETRO: Let's discuss public hearing.

MR. STENT: I don't think.

MR. PETRO: We had one, Dave, for your original site plan, did we do one for upstairs?

MR. BERMAN: Did not.

MR. BABCOCK: There wasn't an original site plan, it was an existing use, just changed from jewelry to plumbing.

MR. PETRO: He never came before the planning board?

MR. BABCOCK: No, the site itself was several times before Mr. Berman got involved for doctors' offices and whatever.

MR. STENT: In the back is just swamp, correct, Sorbello, is there any buildings?

MR. SHAW: It's vacant land. I don't know whether it's swamp or not.

MR. LANDER: It's not swamp, it's a field and it's clear all the way over to the firehouse.

MR. PETRO: It's permitted use in the zone.

MR. STENT: I see no reason.

MR. PETRO: For what we just saw tonight, not that I want to set a precedent but--

MR. ARGENIO: Point's made, Jim.

MR. LANDER: I would have to say that we need a public hearing but I'm only one member.

MR. STENT: I don't think we need one.

MR. ARGENIO: I agree with Mr. Stent.

MR. PETRO: Another thing to factor in here, Mr. Berman, who owns the property does an outstanding job on whatever he does and I'm not saying that because

he's sitting here but facts speak for themselves, ride by and you look at the property.

MR. BABCOCK: Mr. Chairman, one other note is that the project right next door to this was on for public hearing tonight and not one person showed up for that across the street on that project.

MR. PETRO: Ron and I were just discussing that but so with that, I'd entertain a motion to waive.

MR. STENT: Make that motion.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board waive the public hearing for the Lizzie Realty LLC site plan on Windsor Highway. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. EDSALL: Just something again for making this as simple as possible, in retrospect, lead agency coordination, you do have two options on that, you can go through a coordinated review or you can have separate reviews and let DOT do their own SEQRA review, just put them on notice we're not doing a coordinated review and you can act just on the site plan application. I don't know if Andy has a problem but it's an existing road, it's an existing facility, so I don't know that if you wanted to streamline it, that it would be objectionable, just to make it simpler and just do an uncoordinated review of the site.

MR. PETRO: They still have 30 days.

MR. EDSALL: They have obviously got a permit application they are going to review the impacts just

as a procedural item of giving the permit, so we might be able to simplify it by doing an uncoordinated review and letting DOT do their own thing.

MR. SHAW: That may make sense because presently we're up before the DOT for a permit on the Windsor Farms site for this entrance and for the drainage, if that comes to pass the DOT and we do obtain that permit, well then Lizzie Realty does not need any permit from the DOT.

MR. PETRO: Plus they already have access anyway, they have access to the site.

MR. SHAW: Correct, there's an existing curb cut which they use and curb cut which is going to be relocated and the permit is going to be issued to New Windsor Partners LP, the point of it all is if I had that permit in my hand today, I can tell the board that the DOT is not germane to this application because the only thing that they have jurisdiction over has already been permitted.

MR. PETRO: So this application is not hanging on the DOT permit then?

MR. EDSALL: Only again if the other applicant decides not to pursue it for some reason, then this applicant would have to go back and separately pursue it. But it's an existing highway, existing facility, they are just reorganizing use of an interior of a building and in retrospect, it would be best to do uncoordinated review and keep this applicant moving.

MR. PETRO: Without becoming lead agency, how do we handle negative or positive dec?

MR. EDSALL: Act as lead agency with the scope being only site plan application.

MR. PETRO: Motion to assume lead agency for the site plan application.

MR. LANDER: So moved.

MR. EDSALL: Right.

MR. PETRO: Is there a second?

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency only for the site plan aspect of this application. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I don't think there's any wetlands being impacted?

MR. SHAW: No.

MR. PETRO: Stream not being impacted?

MR. SHAW: No.

MR. LANDER: There's a maintenance agreement on this property already?

MR. SHAW: I don't think so, I believe this was created by a gentleman, Harold Adams, if you remember the gentleman well, and I'm sure it's nothing more than just encumbrance on each parcel with the right-of-way to the rear piece and only that.

MR. PETRO: Entertain a motion.

MR. STENT: Motion to declare negative dec on the site plan.

MR. ARGENIO: Second it.

MR. PETRO: Motion's been made and seconded that the

New Windsor Planning Board declare a negative dec on the site plan aspect of this application only for the Lizzie Realty LLC site plan amendment. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Again, who is going to maintain this right-of-way?

MR. SHAW: I would think from a practical point of view, I think it would be Lizzie Realty, because they are the ones that need it, certainly Windsor Farms, they very well may need it if they continue operation as they presently do, they'll not need it if the new tenant comes in with the 11,000 square foot retail building and the parcel to the back will certainly need it someday seeing that there's no structures on it, there's no reason for them to plow it if it snows or to maintain it in any shape, manner or form, it's almost as if the baby is born, it would be nice if we can have this conversation 25 years ago when this situation was created, but now, you have three separate entities of which there maybe four if Windsor Farms sells title to their property.

MR. PETRO: Any other comments on the site plan itself? Greg, seems the only subject to that I can think of is the lighting, the additional probably wall packs on the high side or the south side.

MR. SHAW: I represented to the board that we'd go back and revise it, provide the proper illumination for this roadway independent of what the property to the south is going to do.

MR. PETRO: Correct. Mark, anything left?

MR. EDSALL: Just what I already commented on.

MR. PETRO: Motion for final.

MR. STENT: Make a motion for final approval for the Lizzie Realty site plan subject to the lighting being put on the south side of the building and receiving the letter back on the roadway, Route 32.

MR. ARGENIO: Second the motion.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board grant final approval to the Lizzie Realty LLC site plan with the conditions put in that Mr. Stent has just read into the minutes. Okay, at this time, is there any further discussion from the board members? Ron, do you have anything else?

MR. LANDER: No.

MR. PETRO: Roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

- ☐ **Main Office**
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(717) 296-2765
e-mail: mhepa@ptd.net

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**



REVIEW NAME: LIZZIE REALTY LLC (RAL) SITE PLAN
PROJECT LOCATION: WINDSOR HIGHWAY (NYS ROUTE 32)
SECTION 65-BLOCK 2-LOT 16.1
PROJECT NUMBER: 98-41
DATE: 18 NOVEMBER 1998
DESCRIPTION: THE PROJECT INVOLVES THE CONVERSION OF
11,046 SQUARE FEET OF STORAGE SPACE TO RETAIL,
OFFICE, DISPLAY AND WAREHOUSE USE. THE PLAN WAS
REVIEWED ON A CONCEPT BASIS ONLY.

1. The project is located within the Design Shopping (C) Zoning District of the Town. The existing use is a Retail (A-1) use, with existing retail sales, office, display and warehouse areas. From a zoning compliance standpoint, the only item of consideration would be the additional required parking to serve the increased retail, office and display uses of the building.

The Applicant's Engineer has provided parking calculations within the zoning schedule, which demonstrates compliance with the minimum parking requirements, for existing uses plus new uses.

The engineer has done a good job in identifying the uses of each level of the building, as depicted on the building footprint of the site plan. These areas for various usages compare correctly to the parking calculations and would appear to meet the appropriate requirements.

One aspect which the Planning Board should be aware of is the fact that the available parking at the rear of the building is approximately 70% of the "parking demand" identified in the parking calculations. This is unavoidable, given the site constraints.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: LIZZIE REALTY LLC (RAL) SITE PLAN
PROJECT LOCATION: WINDSOR HIGHWAY (NYS ROUTE 32)
SECTION 65-BLOCK 2-LOT 16.1
PROJECT NUMBER: 98-41
DATE: 18 NOVEMBER 1998

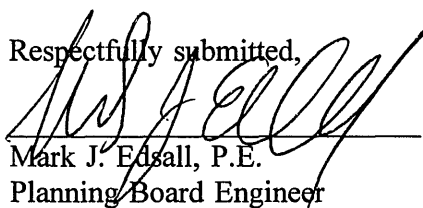
2. From a construction standpoint, the site improvements involve a new twenty nine (29) space parking lot at the rear of the building, and a new access drive to that lot along the south side of the building. Two (2) alternatives have been provided for the access drive (see Sheets 1 and 4), with the second alternative modifying the grades to suit the development of the property to the south of this application property. Both plans would appear to result in acceptable roadway slopes, with the slopes being 6.7+/-% and 8.3+/-%, respectively.
3. I have performed my preliminary review of the site plan and have the following general comments:
 - a. We should request that the Applicant correct the layout of the existing handicapped parking spaces on the north side of the building. Although these are existing spaces, it would be appropriate to have the layout revised to comply with current code requirements.
 - b. I believe the lighting level along the access drive to the rear parking lot should be increased from that depicted. Given the configuration and slopes, a somewhat increased lighting level would be appropriate.
 - c. Roadway drainage from the side access drive would appear to discharge across the landscaping area near the bottom of the drive. It may be appropriate to provide an additional collection point.
4. This application involves more than one approving agency; as such, it would be appropriate for the Board to consider the authorization for distribution of a Lead Agency Coordination letter to be in the SEQRA review process.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 3**

REVIEW NAME: LIZZIE REALTY LLC (RAL) SITE PLAN
PROJECT LOCATION: WINDSOR HIGHWAY (NYS ROUTE 32)
SECTION 65-BLOCK 2-LOT 16.1
PROJECT NUMBER: 98-41
DATE: 18 NOVEMBER 1998

5. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:LIZZIE.mk

RAL SUPPLY

Mr. David Berman and Charley Malich appeared before the board for this proposal.

MR. BERMAN: My name is David Berman with the RAL Supply Group. This is my associate, Charlie Malich, we thought we were on the agenda, I expected to meet Greg Shaw here, we were seeking approval of building out the bottom level of the building for retail space which we were at the work session.

MR. PETRO: You don't have any comments?

MR. EDSALL: Did Greg turn in plans to Myra?

MR. BERMAN: He sent a letter with plans, I assume as we left the work session that the last message I got we were on the agenda for tonight.

MR. PETRO: What we can do, Dave, if we can help you at all, we'll look at it as the board, but we can't make any comment or motion as to an approval or any procedural but we certainly can give you some input.

MR. BERMAN: In absence of him being here.

MR. BERMAN: Mark had met with us I have copies of the plans.

MR. PETRO: This is the old Rosenbaum building.

MR. BERMAN: Which we like to call the new RAL building.

MR. PETRO: Just for the minutes, make sure it's noted that this is a non-scheduled appearance but we're just going to review it very preliminarily, just to give the applicant some direction.

MR. BERMAN: Thank you. I appreciate that. We had recently bought the old Rosenbaum's building and have undertaken a renovation on the first level and we operate a business which opened just after Labor Day, we're in the wholesale retail plumbing supply business

and we took what was a pretty old, terrible building, in fact, we went from the closing of the building, it was raining in the building, pretty interesting experience for us, and we put a bunch of money into the building and we fixed it up. And it's turning into a first class property. What we propose to do we're functioning and operating on the top level of the building on the street level, if you will, there's a common driveway between our building and the site next door which we understand the building that is currently there is going to be taken down and this new Rite-Aid drugstore going in which we understand also is cited to the south end of that property really opening up the side of our property. There's a lower level to this building which is 11,000 square feet and we propose to develop this lower level into some retail space and some warehouse slash display type space, similar to the usage that we have on the first floor. And the plan that Greg had prepared basically in conformity with the meeting we had with Mike and Mark in terms of the parking requirements and what have you laid out, the fact that we propose to have 5,100 square feet of retail space at the lower level and the balance of the lower level being warehouse or display space that we qualified in a similar fashion with parking in the rear as well as parking up on the top level. And if you look at the requirements, what we're providing on the side we're providing sufficient parking space to accommodate that kind of use here to the south property, they'll be rebuilding, this is a common driveway here and they are rebuilding this driveway and of course, this is subject to us being able to work out an arrangement where we'll continue to rebuild the new driveway into the rear parking area here as well.

MR. PETRO: What do you have, do you have an easement over that additional property and driveway, is that part of your deed, how is that structured?

MR. BERMAN: If I am not mistaken, it's the, there's an easement here that services both of these properties as well as the rear property and so there's a requirement here and apparently, the Rite-Aid folks are developing this road and what our simple concept was even absent an agreement, we'd pick it up and develop it into our

parking area. But certainly in the context of any kind of arrangement we'd make sure that the things work in tandem.

MR. PETRO: I see the dotted line, there's a 25 foot, am I looking at that correctly, the 25 foot easement to that rear property, Sorbella Boyea and King?

MR. EDSALL: I don't have the plan here but as I recall discussing it with Greg, when he was here for Rite-Aid, that serves as an access for the rear property.

MR. PETRO: Mr. Berman would be using within that 25 foot so it would be available?

MR. EDSALL: They each have cross-easements, so they have full use of the easements as they overlap across property line.

MR. PETRO: It never could be taken away, you would have a right to use it forever, therefore, your parking would never be interrupted.

MR. BERMAN: That's correct.

MR. STENT: Has the drainage been taken care of in the back of the property, Town of New Windsor, aren't they running some drainage through there?

MR. EDSALL: Actually, the drainage that is being constructed is what was proposed by Rite-Aid when the Rite-Aid gentlemen were before the board, we noted when RAL came in, we'd advise them that there's the box culvert in the back of the property that spans the property line is in failure and they may want to consider fixing that up when they are fixing up the parking lot, something that probably the both of you can do because part of it's on right side and part on your property.

MR. BERMAN: In the context of anything that he have done here and proposed to do here and I have had the opportunity to spend time with Mark, with Mike on the series of occasions, our approach is to do everything

up front the right way first time, it's really easier.

MR. LANDER: So far so good.

MR. PETRO: You did a great job.

MR. BERMAN: Wherever we go, that's what we do because we learned in the long run that is the easiest way to do it. Your stomach survives. It really works.

MR. PETRO: Let me make a discussion, it may be or may not be a planning board issue, the parking is entirely in the rear for the retail space and bottom section of the building, obviously, you don't have any on the outside of the building because you have the easement running down. You do have a 6 foot sidewalk which is nice. I'm sure that's what Mr. Lander would have asked you for. Very, very difficult to get retail people to walk from a back parking lot to the side of the building and enter it unless you're giving away something that's incredible. I know you're coming into retail, you might want to think about professional office permitted in this zone.

MR. BABCOCK: Yes.

MR. PETRO: Just a suggestion, it's very, very difficult and I only bring this up because I'd hate to see you build something and not be able to lease it out.

MR. BERMAN: What we're proposing is that both parking areas would be accessible.

MR. PETRO: If I can't park in front of the building, I don't go in. It may not be a planning board issue.

MR. BABCOCK: If he's successful with this board to get an approval for retail use and office use would be, the requirements would be less for the parking, so if he came to me and said he wanted to use one of the retail stores for office, I wouldn't have any objection.

MR. BERMAN: In fact, our desire here obviously with most things that you try and develop is to try and

bring compatible use so he's in the context, this is not a high density retail use, our showroom which is a display area, it's not, people don't walk in and buy things and carry things out, they go in there to look at things. So my personal choice would be to look for somebody who had a similar type of arrangement where they were displaying things much more than an intensive retail. But if it was and that would be terrific, I'm looking to develop this into something that's right.

MR. PETRO: You want it to work.

MR. BERMAN: I want it to work, spend some money, I want to add to the neighborhood.

MR. PETRO: Normally, there's at least parking like you're building on the top, there's some in the front, I can drive by there any time in the day, run in and get a tub or something. Over here, there's nothing and I don't think there's any way you can put it on the side, you may get some spaces, but I don't think you're going to have proper turnout.

MR. LANDER: Well, Mr. Chairman, you have to remember there's stairs going down, I think that's on this print here because there's a big grade difference between the front and back.

MR. PETRO: You wouldn't get your five percent grade on any of the parking, maybe on the other section, if you shifted the driveway all the way over to the side of the easement, I'm still looking to see if he can get some spaces, can you back out into the driveway.

MR. EDSALL: That wouldn't be normal.

MR. LANDER: It's a driveway, it's like--

MR. BABCOCK: At this point in time, the use probably wouldn't be a problem, but if they develop the property in the back and it started getting more intensive traffic, then it wouldn't work.

MR. LUCAS: Fire department property.

MR. EDSALL: Rite-Aid is the part that goes--

MR. PETRO: Back to planning board issues, does anybody have anything to say about planning board?

MR. STENT: No, I like the way the whole piece of property is going down there, it really looks like--

MR. BERMAN: I appreciate it.

MR. LANDER: I don't have a problem with it.

MR. PETRO: Anymore landscaping we'd like to see on the plan that we can do in the meantime?

MR. ARGENIO: This is a single sheet, Mr. Chairman, there may be a landscaping plan associated with this.

MR. BERMAN: He indicated in fact when Greg sent that there would be a separate lighting and landscaping plan, we're going to do this thing the right way.

MR. LANDER: How many spaces do you need for this lower level?

MR. BERMAN: In total, 64 up and down.

MR. ARGENIO: I think Mr. Shaw is well familiar with the landscaping requirement of the Town of New Windsor.

MR. BERMAN: We need to officially get on an agenda.

MR. EDSALL: You need to make an application, we don't have anything.

MR. BERMAN: Somebody missed something in the process, buck has to stop somewhere, I'll take the responsibility for it.

MR. EDSALL: Greg knows all the paperwork that's needed, so just doublecheck with him.

MR. BERMAN: I'll take the responsibility, but I thank you to take the time to listen to us.

October 28, 1998

28

MR. PETRO: Mark, I want you to look at this and review it.

RESULTS OF P.B. MEETING OF : November 18, 1998

PROJECT: Lizzie Realty

P.B.# 98-41

Uncoordinated Review
LEAD AGENCY: - Only for Site Plan Applic.

NEGATIVE DEC:

1. **AUTHORIZE COORD LETTER:** Y ☒ N ☐

M) 5 S) A VOTE: A 4 N 0

2. **TAKE LEAD AGENCY:** Y ☐ N ☐

CARRIED: YES ☒ NO ☐

M) ☐ S) ☐ VOTE: A ☐ N ☐

CARRIED: YES ☒ NO ☐

WAIVE PUBLIC HEARING: M) 5 S) A VOTE: A 3 N 1 **WAIVED:** Y ☒ N ☐

SCHEDULE P.H. Y ☐ N ☒

SEND TO O.C. PLANNING: Y ☐

SEND TO DEPT. OF TRANSPORTATION: Y ☐

REFER TO Z.B.A.: M) ☐ S) ☐ VOTE: A ☐ N ☐

RETURN TO WORK SHOP: YES ☐ NO ☐

APPROVAL:

M) ☐ S) ☐ VOTE: A ☐ N ☐ **APPROVED:** _____

M) 5 S) A VOTE: A 4 N 0 **APPROVED CONDITIONALLY:** 11-18-98

NEED NEW PLANS: Y ☐ N ☐

DISCUSSION/APPROVAL CONDITIONS:

<u>Increase lighting on Driveway side</u>
<u>Maintenance for Right-of-way to be Lizzie Realty</u>

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/18/98

PAGE: 1

LISTING OF PLANNING BOARD **AGENCY APPROVALS**

FOR PROJECT NUMBER: 98-41

NAME: LIZZIE REALTY, LLC - RETAIL EXPANSION

APPLICANT: LIZZIE REALTY, LLC

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	11/12/98	MUNICIPAL HIGHWAY	11/16/98	APPROVED
ORIG	11/12/98	MUNICIPAL WATER . NOTIFY WATER DEPT IF ANY CHANGES TO HOOK UP NECESSARY	11/17/98	APPROVED
ORIG	11/12/98	MUNICIPAL SEWER	/ /	
ORIG	11/12/98	MUNICIPAL FIRE	11/18/98	APPROVED



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER:

98 - 41

DATE PLAN RECEIVED:

RECEIVED NOV 12 1998

RECEIVED

NOV 16 1998

N.W. HIGHWAY DEPT.

The maps and plans for the Site Approval ☒

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

11/16/98
DATE

WATER SUPERINTENDENT

DATE

SANITARY SUPERINTENDENT

DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 98 - 41

DATE PLAN RECEIVED: RECEIVED NOV 12 1998

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Gizzie Realty - LLC has been

reviewed by me and is approved _____,

~~disapproved~~ _____.

If ~~disapproved~~, please list reason _____

This property is being filed by Town
Water - Notify water dept. if any changes
are to be made.

HIGHWAY SUPERINTENDENT DATE

Steve D. D. 11-17-98
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: November 18, 1998

SUBJECT: Lizzie Realty, L.L.C.

Planning Board Reference Number: PB-98-41

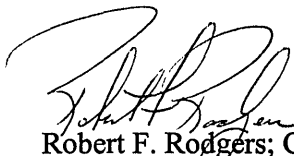
Dated: 12 November 1998

Fire Prevention Reference Number: FPS-98-069

A review of the above referenced subject site plan was conducted on 17 November 1998.

This site plan is acceptable.

Plans Dated: 4 November 1998.



Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

98 - 41
RECEIVED NOV 12 1998

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan X Special Permit _____

Tax Map Designation: Sec. 65 Block 2 Lot 16.1

1. Name of Project Retail Expansion For Lizzie Realty, LLC

2. Owner of Record Lizzie Realty, LLC Phone 343-1456

Address: P.O. Box 429, Middletown, N.Y. 10940
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant Same As Owner Phone _____

Address: _____
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 561-3695

Address: 744 Broadway, Newburgh, N.Y. 12550
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney _____ Phone _____

Address _____
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

Gregory J. Shaw 561-3695
(Name) (Phone)

7. Project Location:

On the east side of Windsor Highway 600 feet
(Direction) (Street) (No.)
north of Old Temple Hill Road
(Direction) (Street)

8. Project Data: Acreage 1.53 Zone C R4 School Dist. Newburgh Enlarged

APPLICANT/OWNER PROXY STATEMENT
for professional representation)

RECEIVED NOV 12 1998

98 - 41

for submittal to the:
TOWN OF NEW WINDSOR PLANNING BOARD

Lizzie Realty, LLC it conducts business
(OWNER) ~~deposes and says that he resides~~
at 24 Dunning Road, Middletown in the County of Orange
(OWNER'S ADDRESS)
and State of New York ^{it} ~~he~~ is the owner of property tax map
(Sec. 65 Block 2 Lot 16.1)
designation number (Sec. Block Lot) which is the premises described in
the foregoing application and that ^{it} he authorizes:

(Applicant Name & Address, if different from owner)

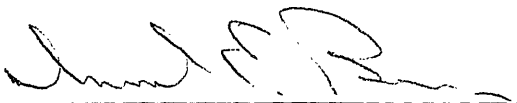
Gregory J. Shaw, P.E., 744 Broadway, Newburgh, N.Y. 12550

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 11/2/98

Tina Perna
Witness' Signature


Owner's Signature

Applicant's Signature if different than owner

Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes ☒ No ☐

*This information can be verified in the Assessor's Office.

*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".

10. Description of Project: (Use, Size, Number of Lots, etc.)
Conversion of 11,046 S.F. of storage space in an existing
building to retail, office, display and warehouse use. New
construction of a 31 space parking area.

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes ☐ no ☒

12. Has a Special Permit previously been granted for this property? yes ☐ no ☒

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

6th DAY OF November 1998

[Signature]

APPLICANT'S SIGNATURE

[Signature]

NOTARY PUBLIC

RONALD S. KOSSAR
NOTARY PUBLIC, State of New York
No. 4626568
Qualified in Orange County
Term Expires April 30, 2002

DAVID E. BERMAN

Please Print Applicant's Name as Signed

TOWN USE ONLY
RECEIVED NOV 12 1998

DATE APPLICATION RECEIVED

98 - 41

APPLICATION NUMBER

TOWN OF NEW WINDSOR PLANNING BOARD

SITE PLAN CHECKLIST

ITEM

1. X Site Plan Title
2. X Applicant's Name(s)
3. X Applicant's Address
4. X Site Plan Preparer's Name
5. X Site Plan Preparer's Address
6. X Drawing Date
7. X Revision Dates
8. X Area Map Inset
9. X Site Designation
10. X Properties within 500' of site
11. X Property Owners (Item #10)
12. X Plot Plan
13. X Scale (1" = 50' or lesser)
14. X Metes and Bounds
15. X Zoning Designation
16. X North Arrow
17. X Abutting Property Owners
18. X Existing Building Locations
19. X Existing Paved Areas
20. X Existing Vegetation
21. X Existing Access & Egress

98 - 41

PROPOSED IMPROVEMENTS

- 22. X Landscaping
- 23. X Exterior Lighting
- 24. X Screening
- 25. X Access & Egress
- 26. X Parking Areas
- 27. X Loading Areas
- 28. ~~X~~ Paving Details (Items 25 - 27)
- 29. X Curbing Locations
- 30. X Curbing through section
- 31. X Catch Basin Locations
- 32. X Catch Basin Through Section
- 33. X Storm Drainage
- 34. NA Refuse Storage
- 35. NA Other Outdoor Storage
- 36. NA Water Supply
- 37. NA Sanitary Disposal System
- 38. NA Fire Hydrants
- 39. NA Building Locations
- 40. X Building Setbacks
- 41. NA Front Building Elevations
- 42. X Divisions of Occupancy
- 43. NA Sign Details
- 44. X Bulk Table Inset
- 45. X Property Area (Nearest 100 sq. ft.)
- 46. X Building Coverage (sq. ft.)
- 47. X Building Coverage (% of total area)
- 48. X Pavement Coverage (sq. ft.)
- 49. X Pavement Coverage (% of total area)
- 50. X Open Space (sq. ft.)
- 51. X Open Space (% of total area)
- 52. X No. of parking spaces proposed
- 53. X No. of parking spaces required

REFERRING TO QUESTION 9 ON THE APPLICATION FORM "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

54. NA

Referral to Orange County Planning Dept. is required for all applicants filing AD Statement.

55. NA

A disclosure Statement, in the form set below, must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leaser shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGMENT:

THE PLAT FOR THE PROPOSED SUBDIVISION HAS BEEN PREPARED IN ACCORDANCE WITH THIS CHECKLIST AND THE TOWN OF NEW WINDSOR ORDINANCES, TO THE BEST OF MY KNOWLEDGE.

BY:


Licensed Professional

Nov. 4, 1998

Date



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF NEW WINDSOR

P/B # 98 - 41

WORK SESSION DATE: 7 OCT 98

APPLICANT RESUB.
REQUIRED: full

REAPPEARANCE AT W/S REQUESTED: his option

PROJECT NAME: RA 5/p

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Greg Shaw, Dave Berman

MUNIC. REPS PRESENT: BLDG INSP.
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Mike B - reviewed retail vs display
- wants to rent out downstairs as retail (no user determined now)
- need cross easements re. const./grading.
- (no existing)
- cost estimates must reflect who does work

4MJE91 pbwsform

PROJECT I.D. NUMBER

617.21

SEQR

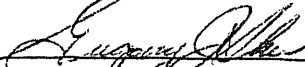
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Lizzie Realty, LLC	2. PROJECT NAME Retail Expansion For Lizzie Realty, LLC
3. PROJECT LOCATION: Municipality <u>Town Of New Windsor</u> County <u>Orange</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) East side of Windsor Highway, 600 feet north of its intersection with Old Temple Hill Road-	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Conversion of 11,046 S.F. of storage space to retail, office and display/warehouse use. Conversion will require 29 new parking spaces	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.53</u> acres Ultimately <u>1.53</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals NYSDOT Highway Entrance Permit	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Lizzie Realty, LLC</u>	Date: <u>Nov. 4, 1998</u>
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

98 - 41
RECEIVED NOV 12 1998

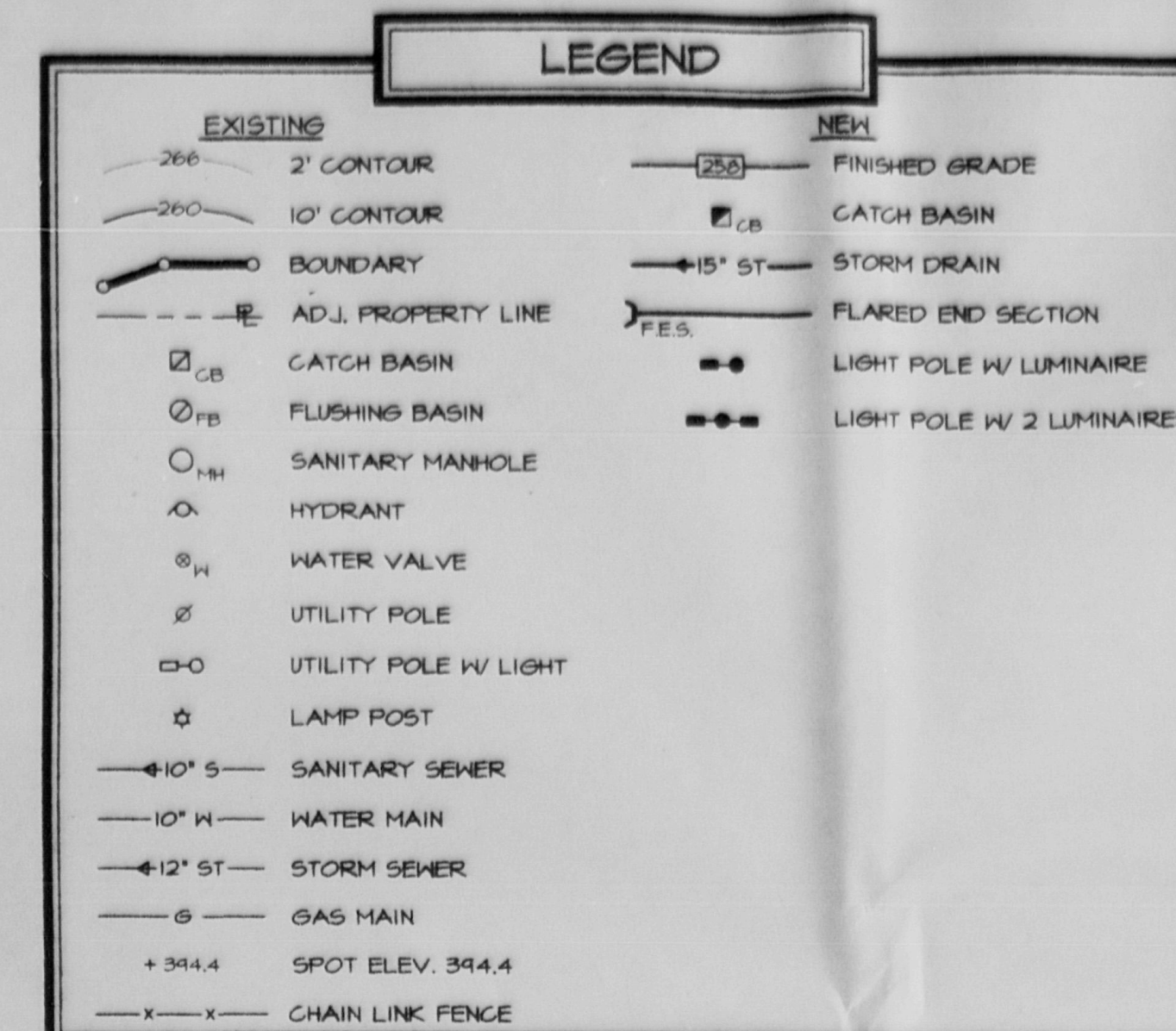
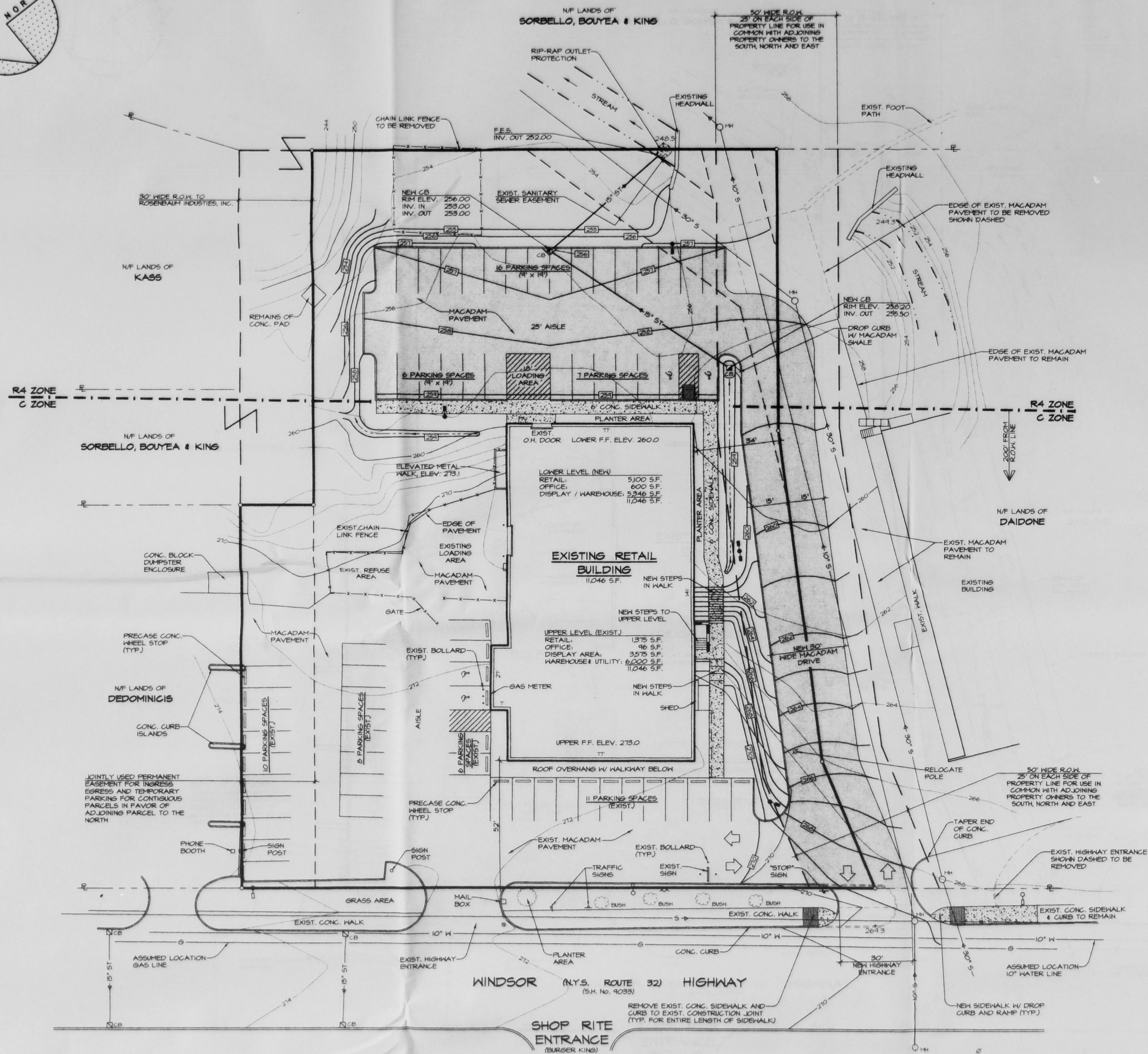
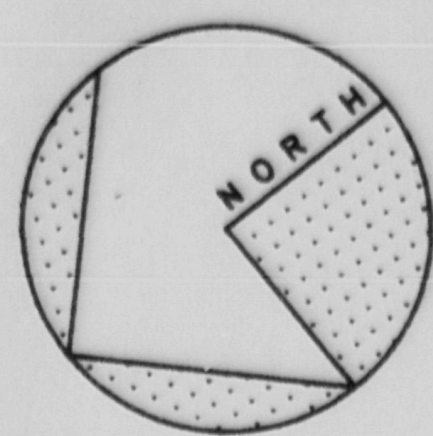
PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
No	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
No	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
No	
C4. A community's existing plans or goals as officially adopted; or a change in use or intensity of use of land or other natural resources? Explain briefly:	
No	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.	
No	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.	
No	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.	
No	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No If Yes, explain briefly

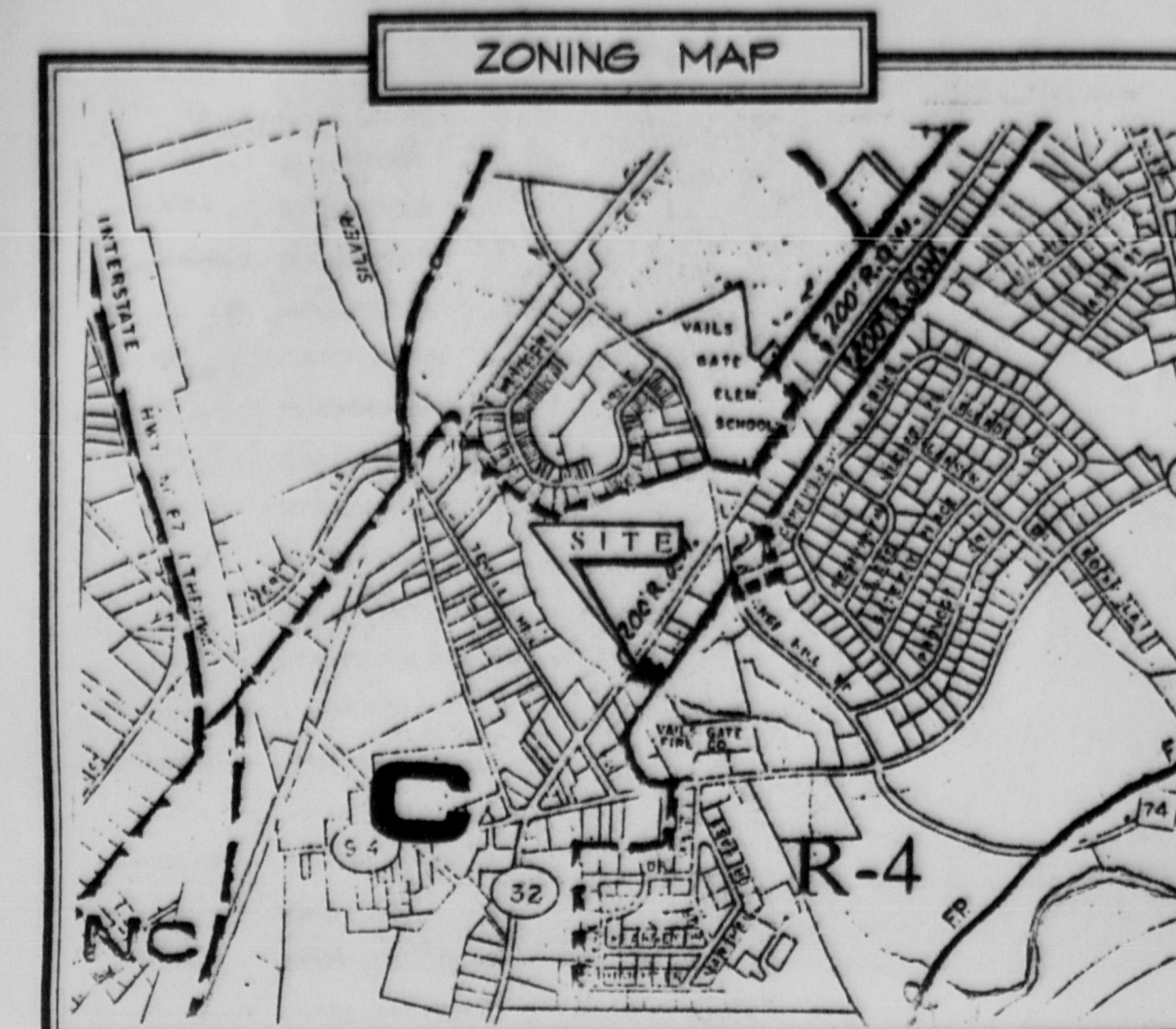
PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
Town Of New Windsor Planning Board	
Name of Lead Agency	
James Petro	chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from responsible officer)
Date	



- NOTES**
1. ZONING DISTRICT: C-1 DESIGN SHOPPING
 2. RECORD OWNER & APPLICANT: LIZZIE REALTY, LLC
P.O. BOX 428
MIDDLETOWN, NEW YORK 10940
 3. TOTAL PARCEL AREA: 1.53+ ACRES
 4. TAX MAP DESIGNATION: SECTION 65, BLOCK 2, LOT 161
 5. BOTH THE UPPER LEVEL AND LOWER LEVEL AREAS ARE PRESENTLY CONNECTED TO THE TOWN OF NEW WINDSOR WATER AND SEWER SYSTEMS.
 6. THE LOWER LEVEL SHALL BE SPRINKLERED.
 7. THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED AS APPROX. PRIOR TO EXCAVATION THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS.
 8. UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION (U.F.P.O.) SECTION 119B OF THE PUBLIC SERVICE LAW, ARTICLE 36 OF THE GENERAL BUSINESS LAW AND INDUSTRIAL CODE RULE 53 REQUIRES (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING OR BASTING. UNDERGROUND UTILITIES CALL CENTER TEL. NO. 1-800-462-TR62. CONTRACTOR SHALL PROTECT AND PRESERVE UTILITY MARKINGS.
 9. BOUNDARY AND PLANNIMETRIC SURVEY INFORMATION OBTAINED FROM DRAWING ENTITLED "SURVEY FOR DAVID E. BERMAN - BOUNDARY / LOCATION SURVEY" PREPARED BY GREVAS & HILDRETH, P.C., AND DATED FEBRUARY 2, 1998.



ZONING SCHEDULE

ZONE C-1 DESIGN SHOPPING
BULK REGULATIONS OF C-1 ZONE - USE: A-1 - RETAIL STORE

BULK REGULATIONS: C-1 ZONE	REQUIRED	PROVIDED
MIN. LOT AREA	40,000 S.F.	66,551 S.F.
MIN. LOT WIDTH	200 FT.	241 FT.
MIN. FRONT YARD DEPTH	60 FT.	45 FT.
MIN. SIDE YARD - ONE	30 FT.	35 FT.
MIN. SIDE YARD - BOTH	70 FT.	115 FT.
MIN. REAR YARD DEPTH	30 FT.	115 FT.
MIN. STREET FRONTAGE	N/A	260 FT.
MAX. FLOOR AREA RATIO	0.50	0.17

OFF-STREET PARKING

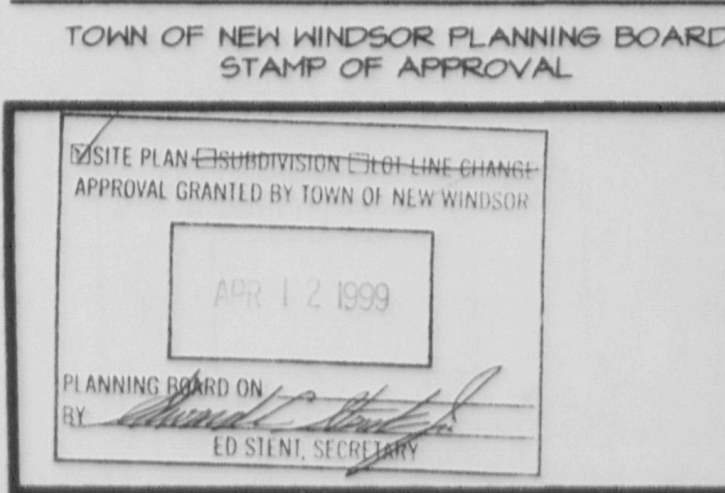
OFF-STREET PARKING	REQUIRED	PROVIDED
UPPER LEVEL (EXIST.) RETAIL BUILDING 1 SPACE PER 150 S.F. OF FLOOR AREA IN SALES USE (1,375 S.F. / 150 S.F. PER SPACE)	10 SPACES	
OFFICE 1 SPACE PER 200 S.F. OF FLOOR AREA (96 S.F. / 200 S.F. PER SPACE)	1 SPACE	
DISPLAY AREA 1 SPACE PER 1,000 S.F. OF FLOOR AREA (5,346 S.F. / 1,000 S.F. PER SPACE)	4 SPACES	
WAREHOUSE & UTILITY 1 SPACE PER 1,000 S.F. OF FLOOR AREA (6,000 S.F. / 1,000 S.F. PER SPACE)	6 SPACES	
LOWER LEVEL (NEW) RETAIL BUILDING 1 SPACE PER 150 S.F. OF FLOOR AREA IN SALES USE (5,100 S.F. / 150 S.F. PER SPACE)	34 SPACES	
OFFICE 1 SPACE PER 200 S.F. OF FLOOR AREA (600 S.F. / 200 S.F. PER SPACE)	3 SPACE	
DISPLAY / WAREHOUSE 1 SPACE PER 1,000 S.F. OF FLOOR AREA (5,346 S.F. / 1,000 S.F. PER SPACE)	6 SPACES	
TOTAL:	64 SPACES	64 SPACES

COVERAGES

COVERAGES	REQUIRED	PROVIDED
BUILDING COVERAGE % OF TOTAL AREA	11,046 S.F. 16.6 %	
PAVEMENT COVERAGE % OF TOTAL AREA	36,248 S.F. 57.5 %	
OPEN SPACE COVERAGE % OF TOTAL AREA	17,253 S.F. 25.4 %	

SCHEDULE OF DRAWINGS

SHEET TITLE	SHEET NUMBER
SITE DEVELOPMENT / GRADING & UTILITY PLAN	1 OF 2
EXISTING CONDITIONS PLAN	2 OF 2
SITE DEVELOPMENT & UTILITY DETAILS	3 OF 2
ALTERNATE SITE DEVELOPMENT PLAN	4 OF 2
LANDSCAPING PLAN & DETAILS	5 OF 2
LIGHTING PLAN & DETAILS	6 OF 2
EROSION CONTROL PLAN & MEASURES	7 OF 2
EROSION & SEDIMENT CONTROL DETAILS	8 OF 2



Shaw Engineering
Consulting Engineers

744 Broadway Newburgh N.Y. 12550

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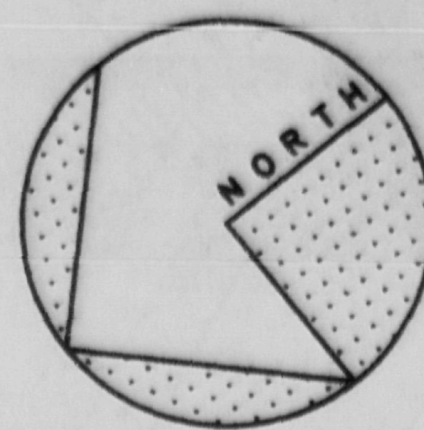
Drawn By: J.R.J.	Checked By: G.J.S.	Scale: 1"=20'	Date: 11-4-1998
1	2-22-1998	DATE	
ISSUE	REVISION	DATE	

Project: **SITE DEVELOPMENT / GRADING & UTILITY PLAN**

Project: **RETAIL EXPANSION FOR LIZZIE REALTY, L.L.C.**

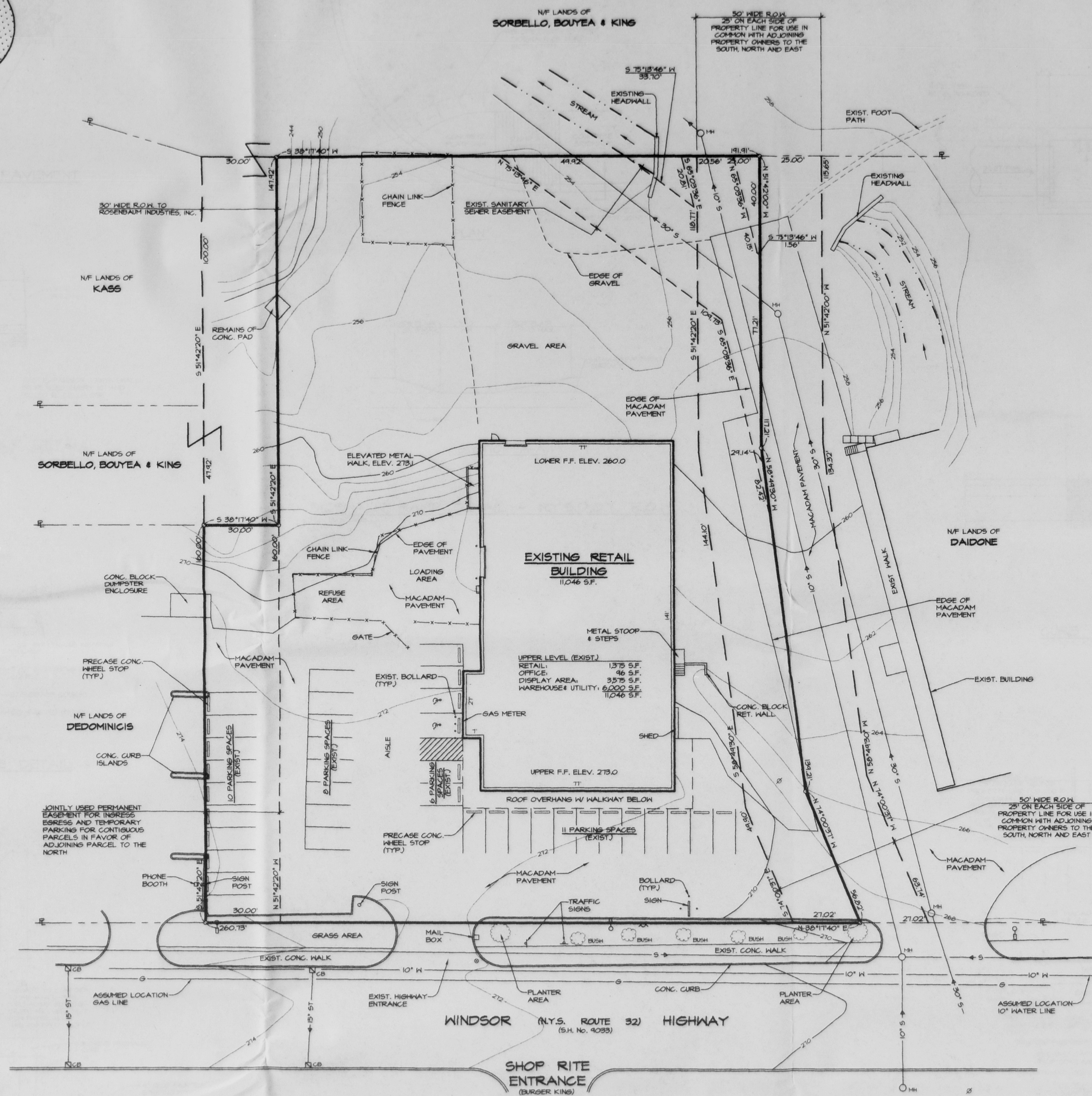
N.Y.S. ROUTE 32 TOWN OF NEW WINDSOR, N.Y.

Project No. 9711

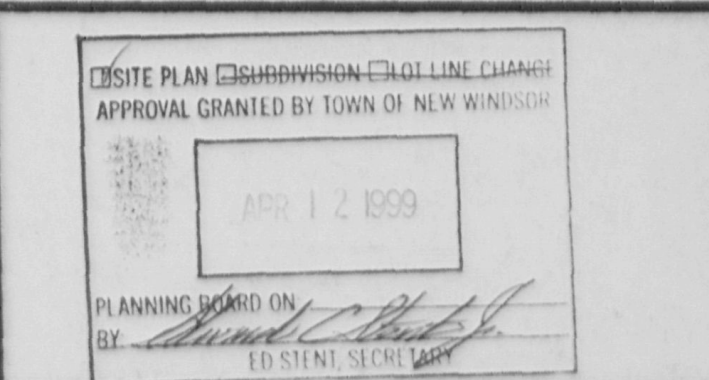


LEGEND

- EXISTING
- 266 2' CONTOUR
 - 260 10' CONTOUR
 - BOUNDARY
 - ADJ. PROPERTY LINE
 - CB CATCH BASIN
 - FB FLUSHING BASIN
 - SH SANITARY MANHOLE
 - HYD HYDRANT
 - WV WATER VALVE
 - UP UTILITY POLE
 - UPL UTILITY POLE W/ LIGHT
 - LP LAMP POST
 - 10" S SANITARY SEWER
 - 10" W WATER MAIN
 - 12" ST STORM SEWER
 - 6 GAS MAIN
 - 344.4 SPOT ELEV. 344.4
 - CHAIN LINK FENCE



TOWN OF NEW WINDSOR PLANNING BOARD
STAMP OF APPROVAL



Shaw Engineering
Consulting Engineers

744 Broadway Newburgh N.Y. 12550

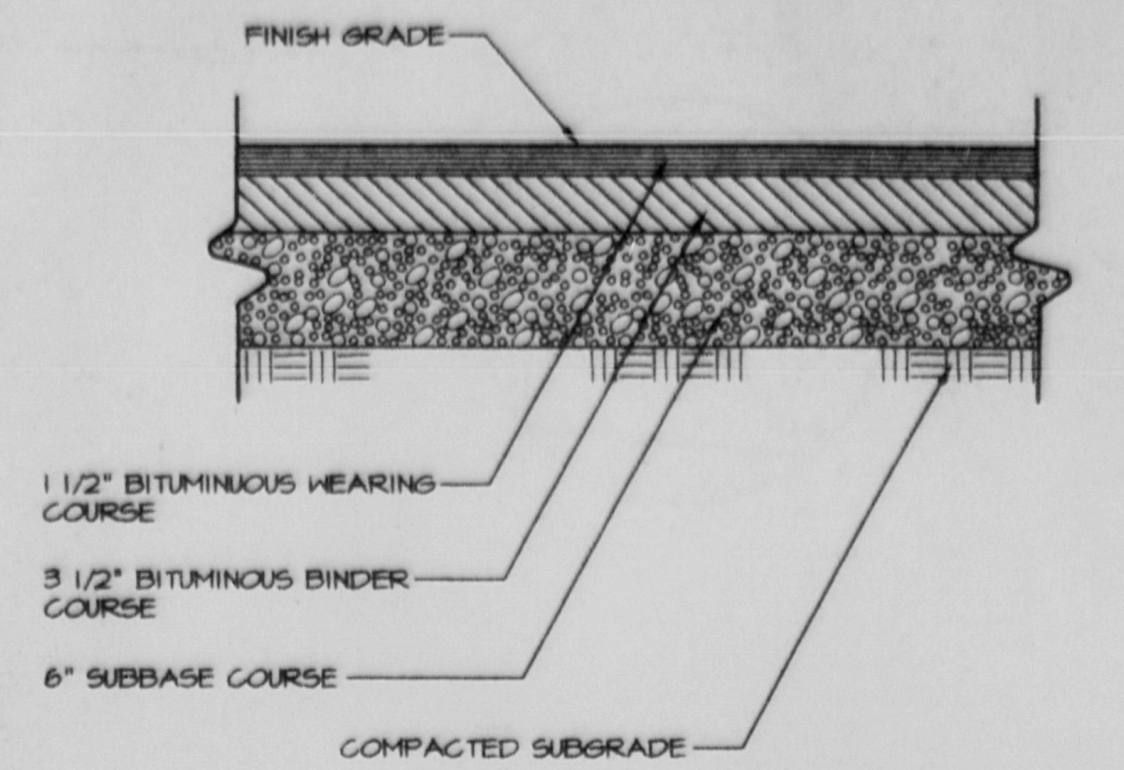
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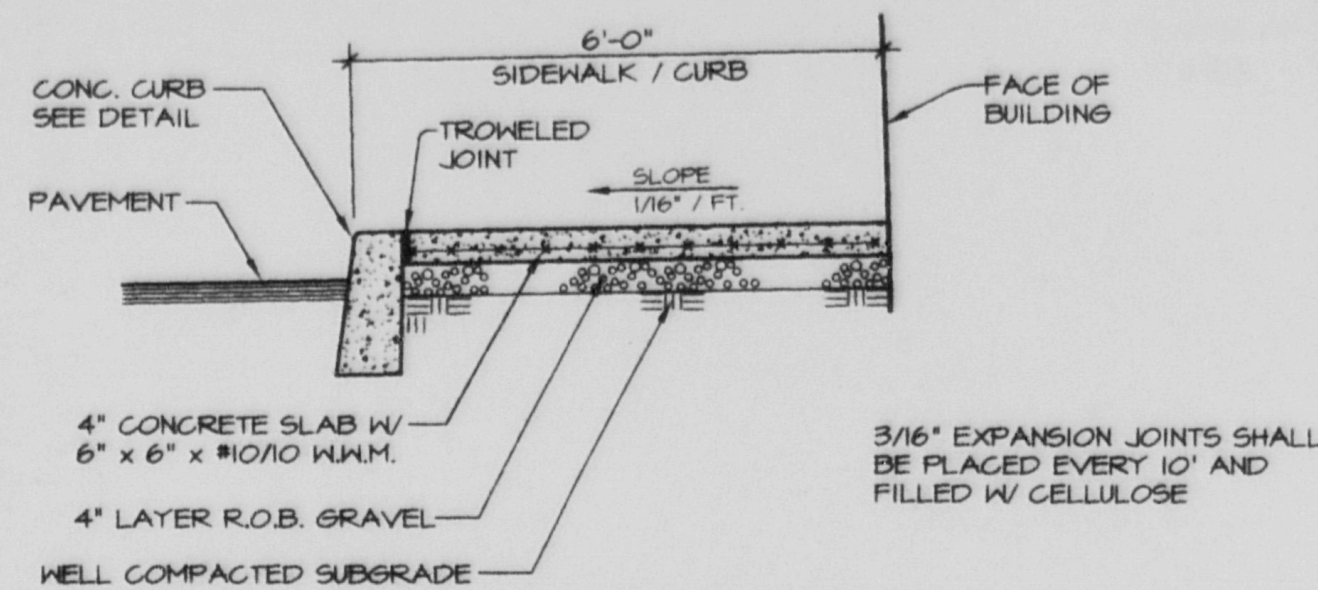
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NO	REVISION	DATE
1	NO REVISION	2-22-1999
ISSUE	REVISION	

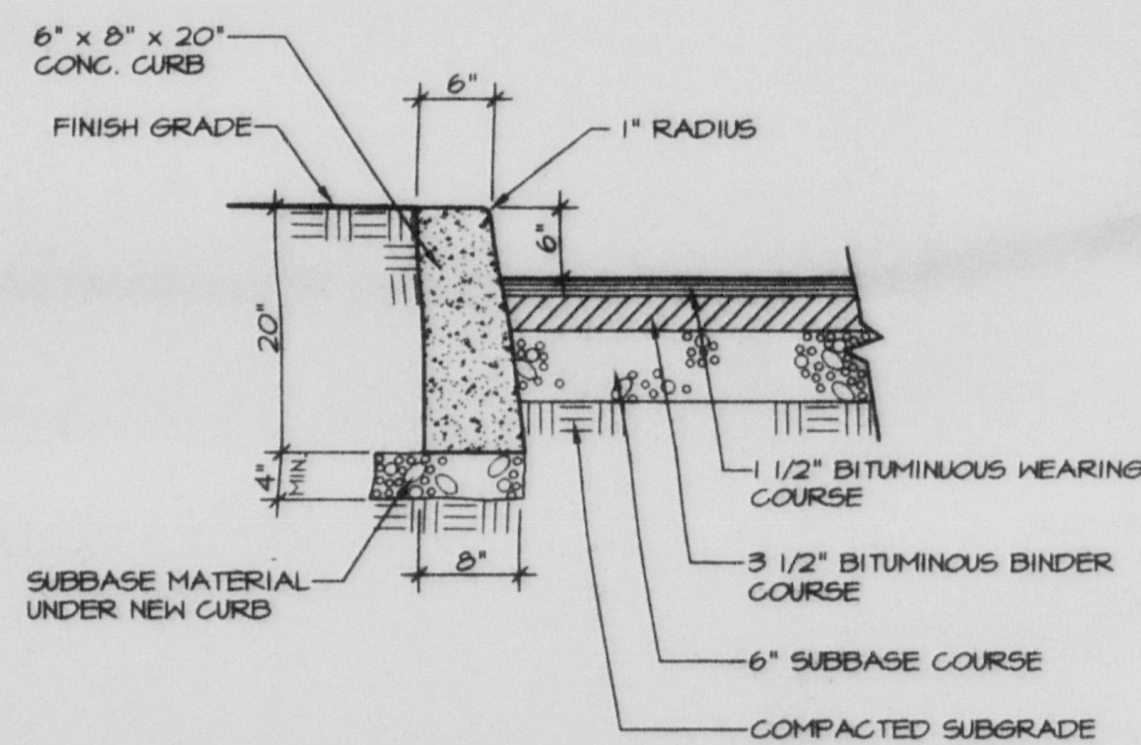
Drawn By: J.R.J.	Project: EXISTING CONDITIONS PLAN	2 OF 8
Checked By: G.J.S.	Project: RETAIL EXPANSION FOR LIZZIE REALTY, L.L.C.	
Scale: 1"=20'	Project: N.Y.S. ROUTE 32 TOWN OF NEW WINDSOR, N.Y.	
Date: 11-4-1998		



ON - SITE ASPHALT PAVEMENT
NOT TO SCALE

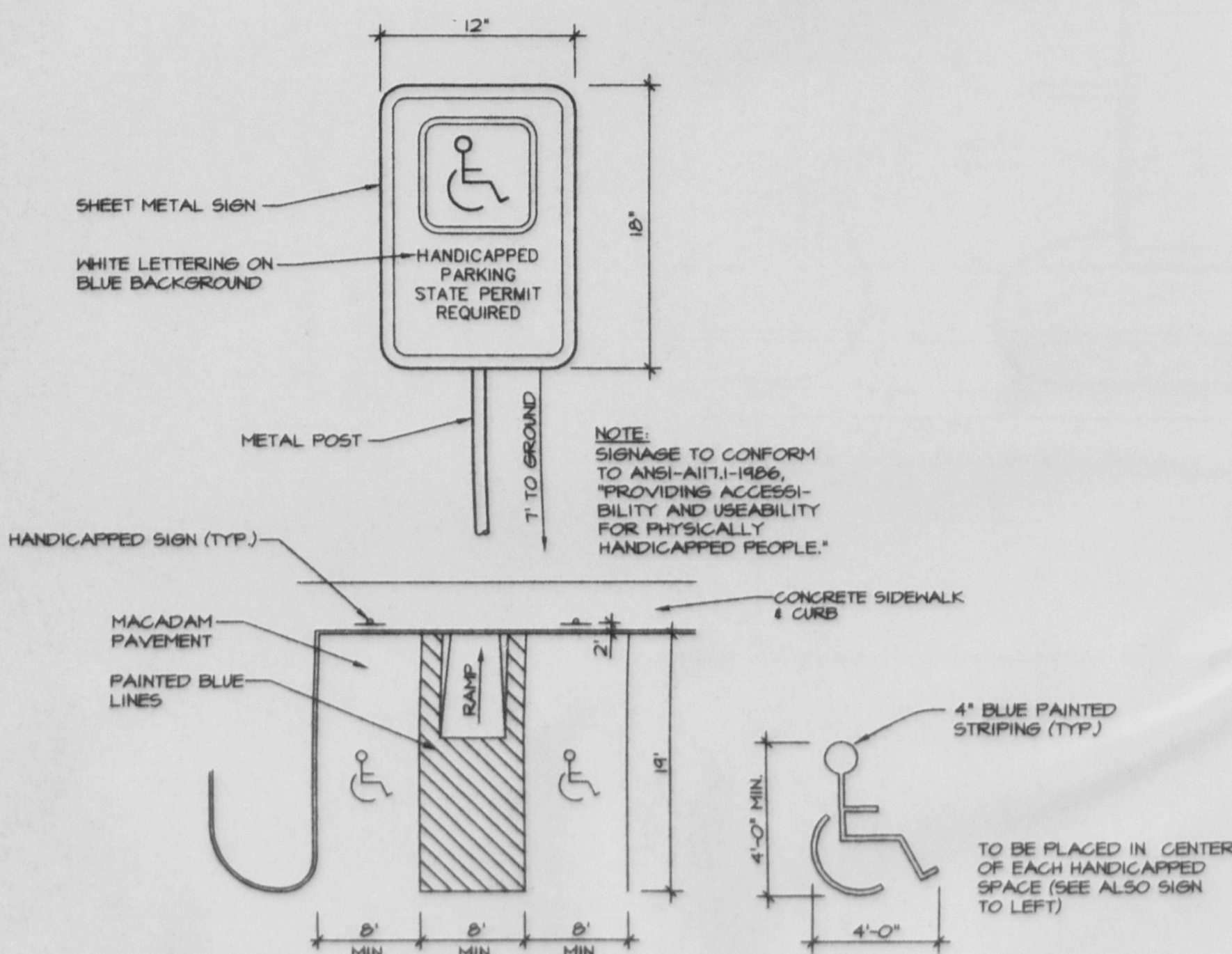


ON - SITE SIDEWALK DETAIL
NOT TO SCALE

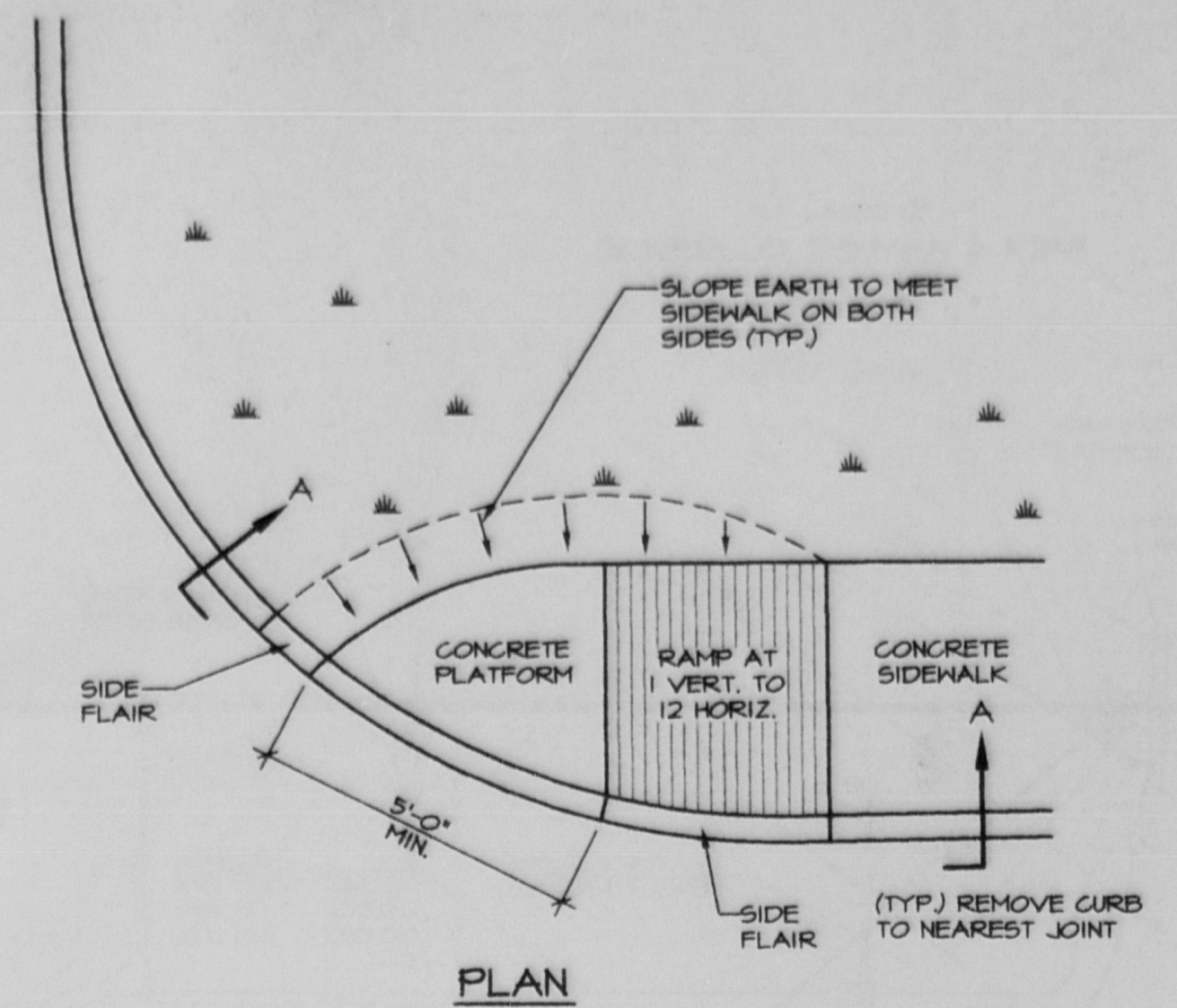


NOTE:
1. 1/2" PRE-MOLDED EXPANSION JOINTS,
10' O.C.

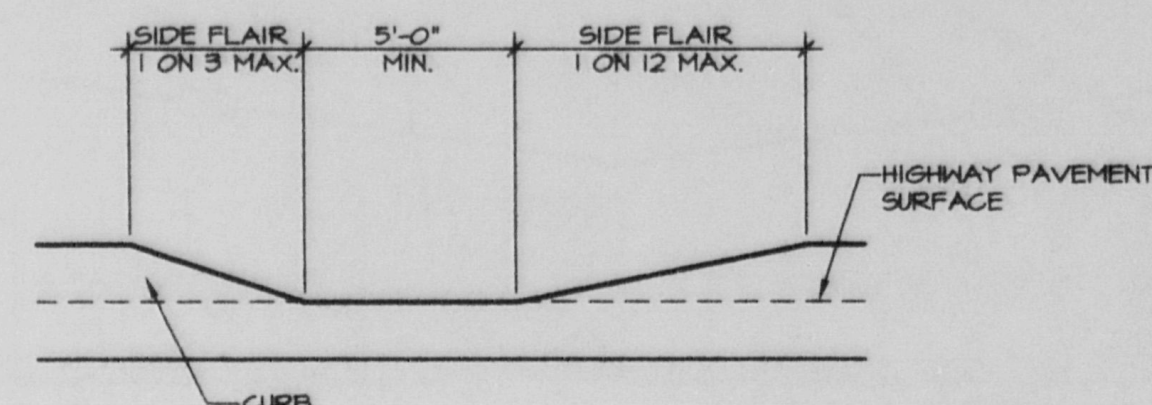
ON - SITE CURB DETAIL
NOT TO SCALE



HANDICAPPED SIGN & SPACE DETAIL
NOT TO SCALE

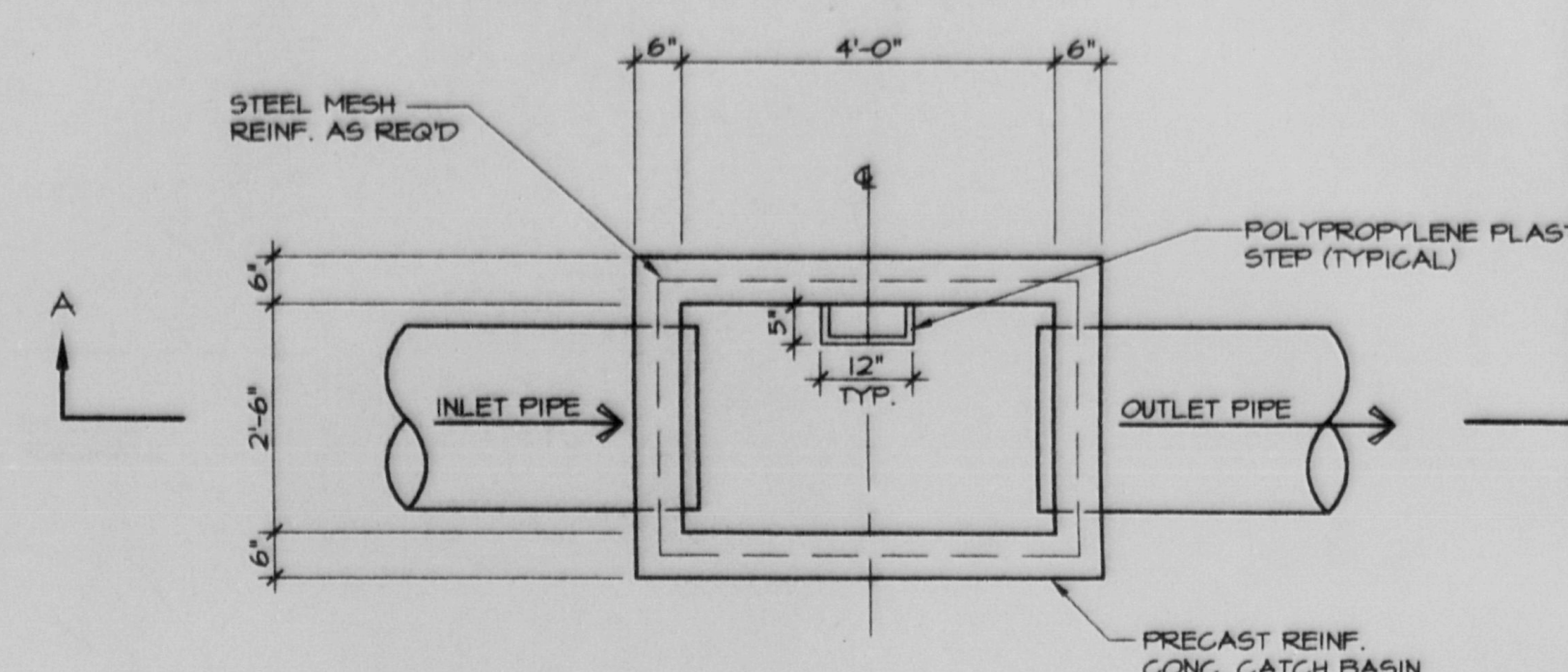


PLAN



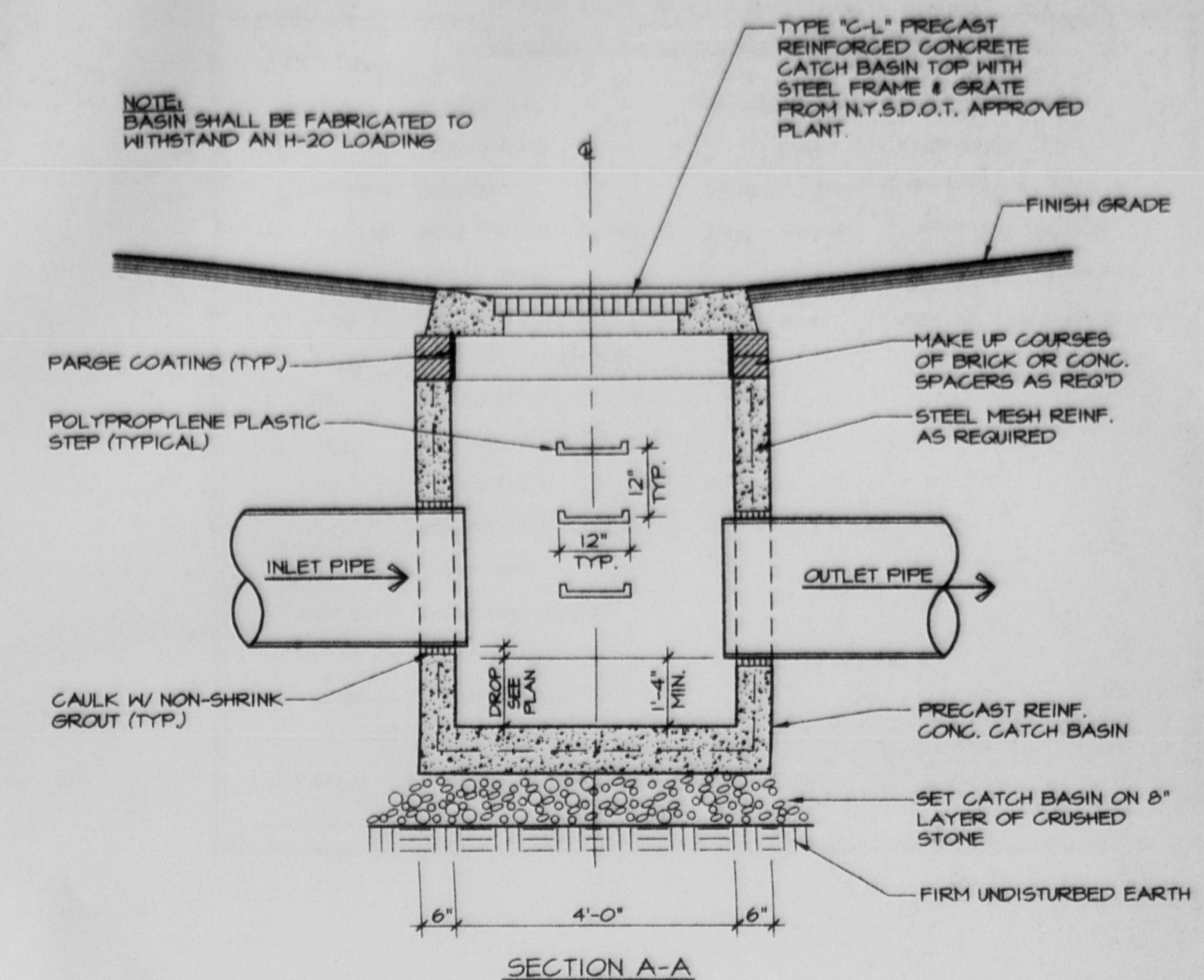
SECTION A-A

SIDEWALK RAMP DETAIL - N.Y.S.D.O.T. R.O.W.
NOT TO SCALE

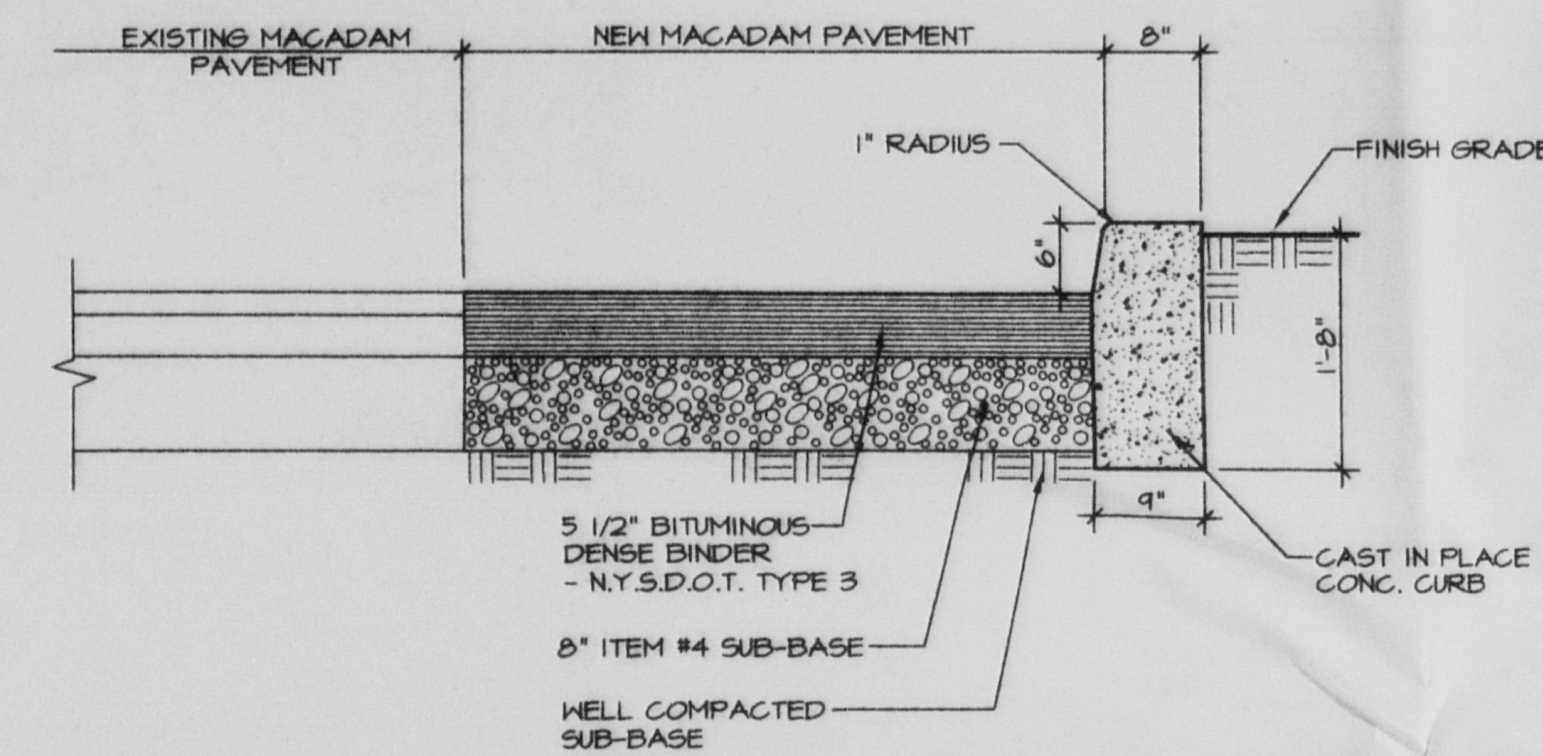


PLAN

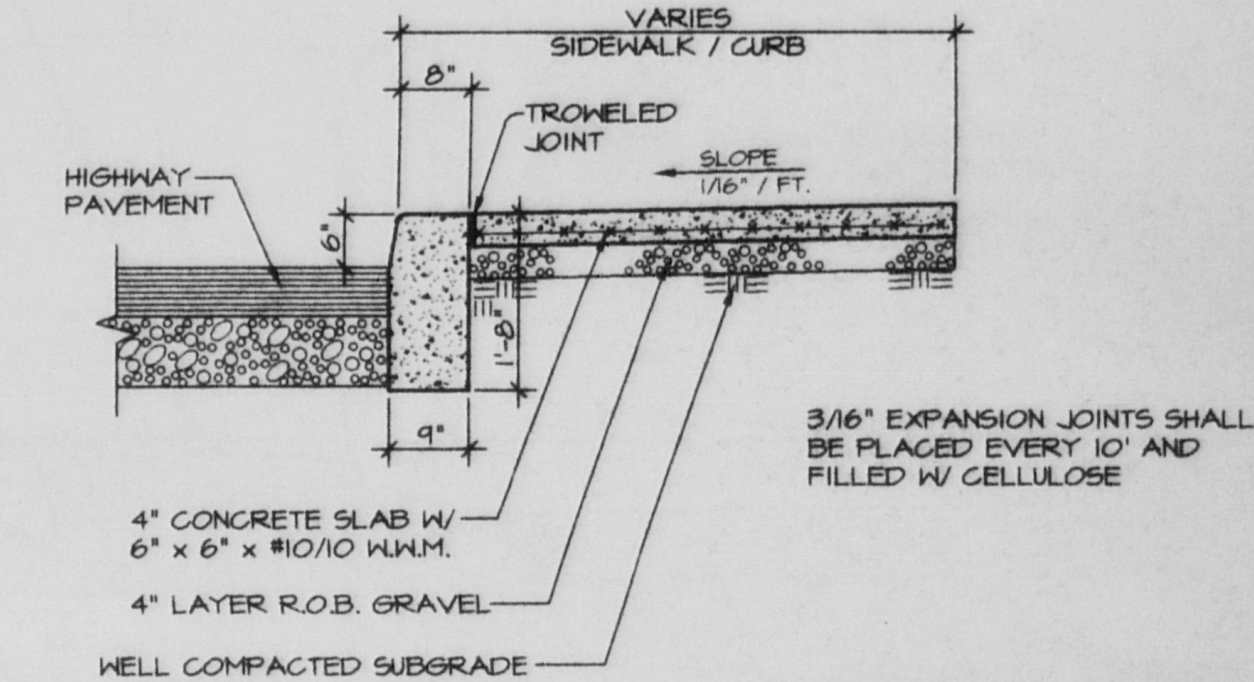
CATCH BASIN DETAIL
NOT TO SCALE



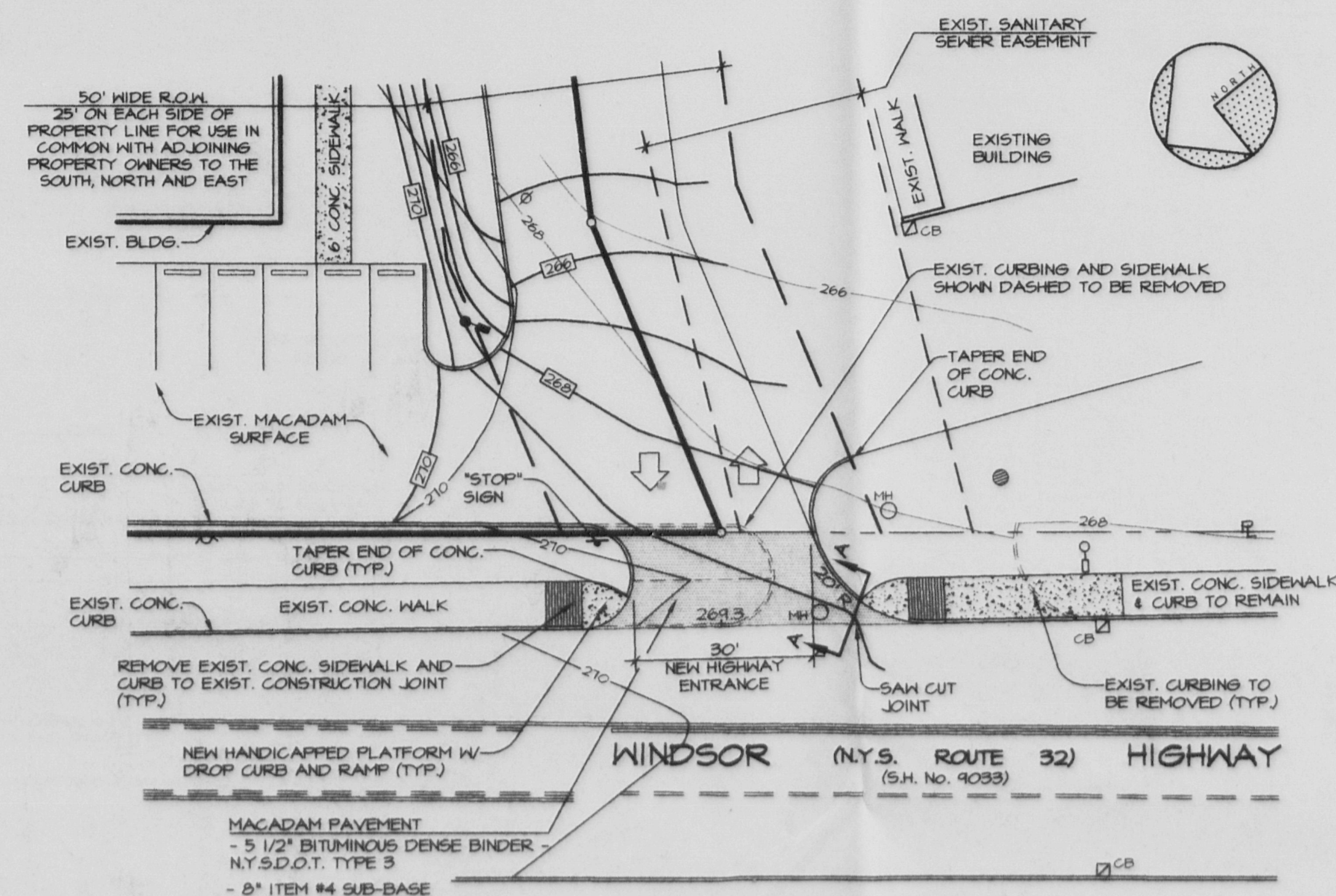
SECTION A-A



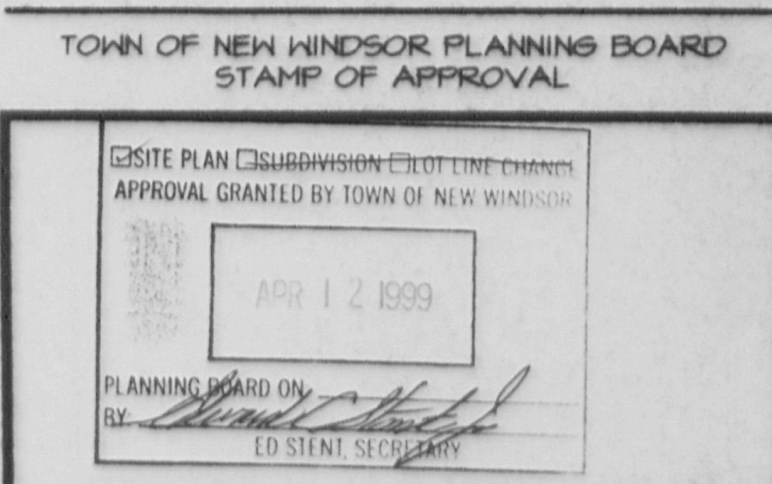
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CURB DETAIL - N.Y.S.D.O.T. R.O.W.
NOT TO SCALE

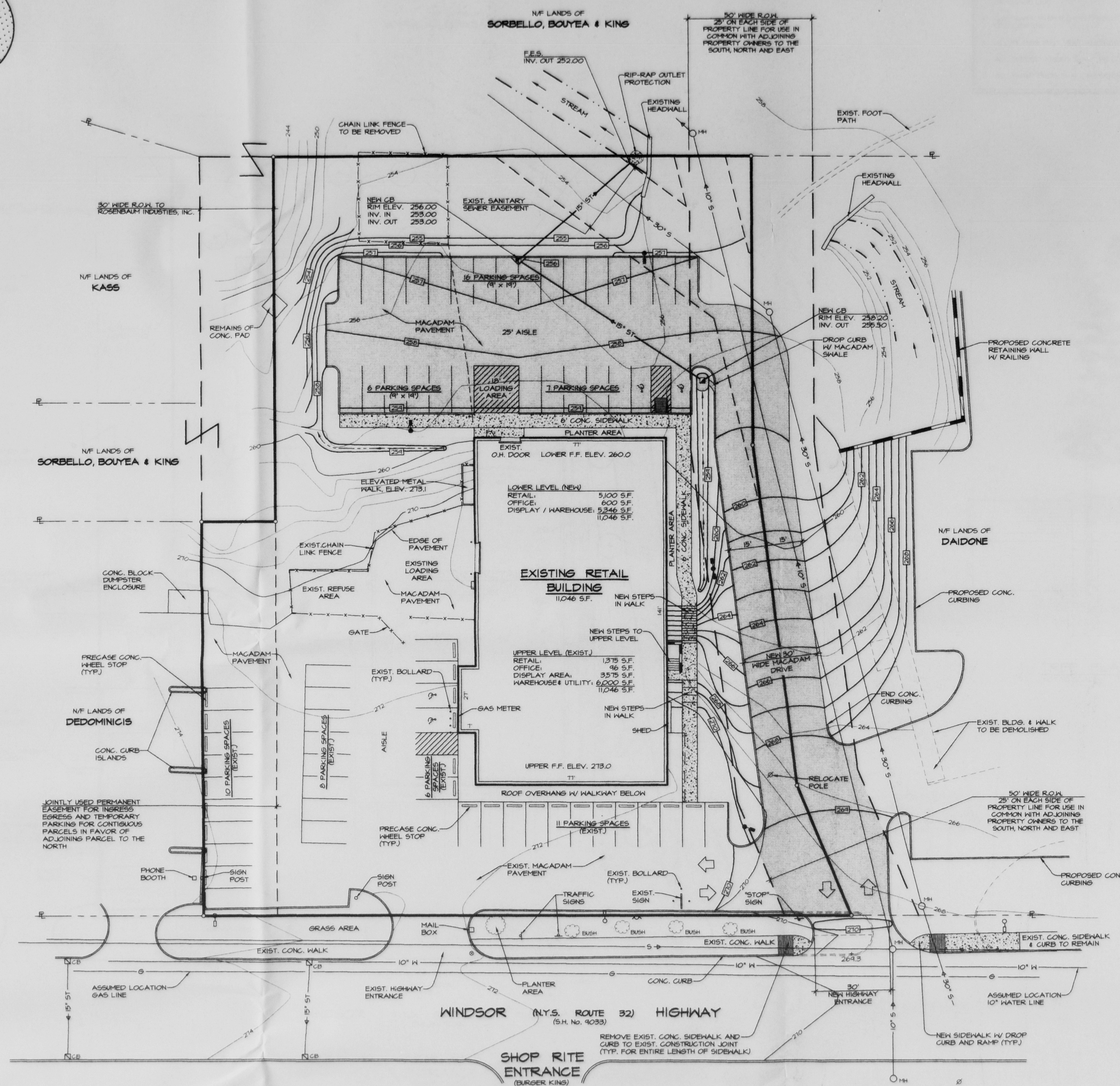
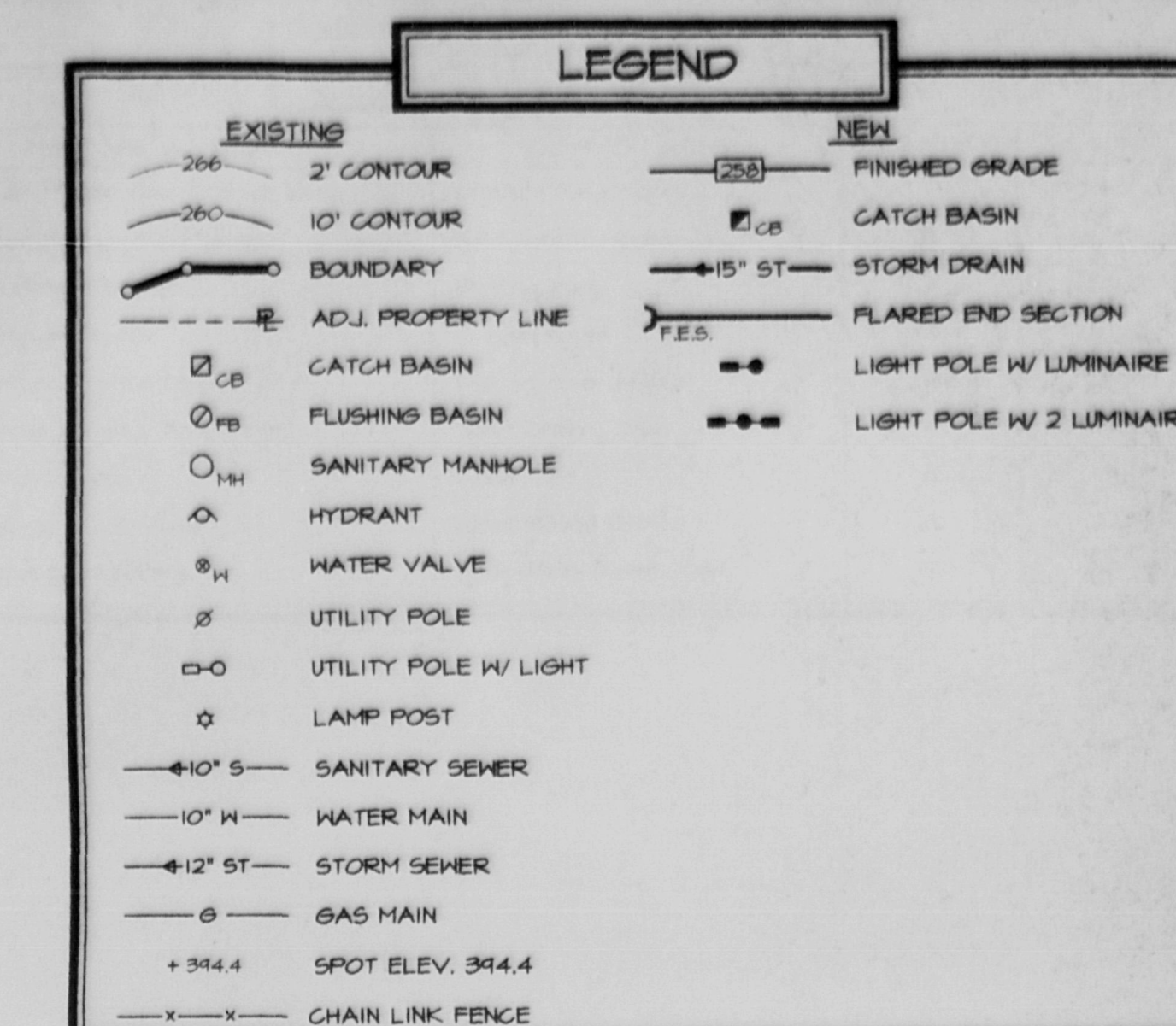


SIDEWALK DETAIL - N.Y.S.D.O.T. R.O.W.
NOT TO SCALE



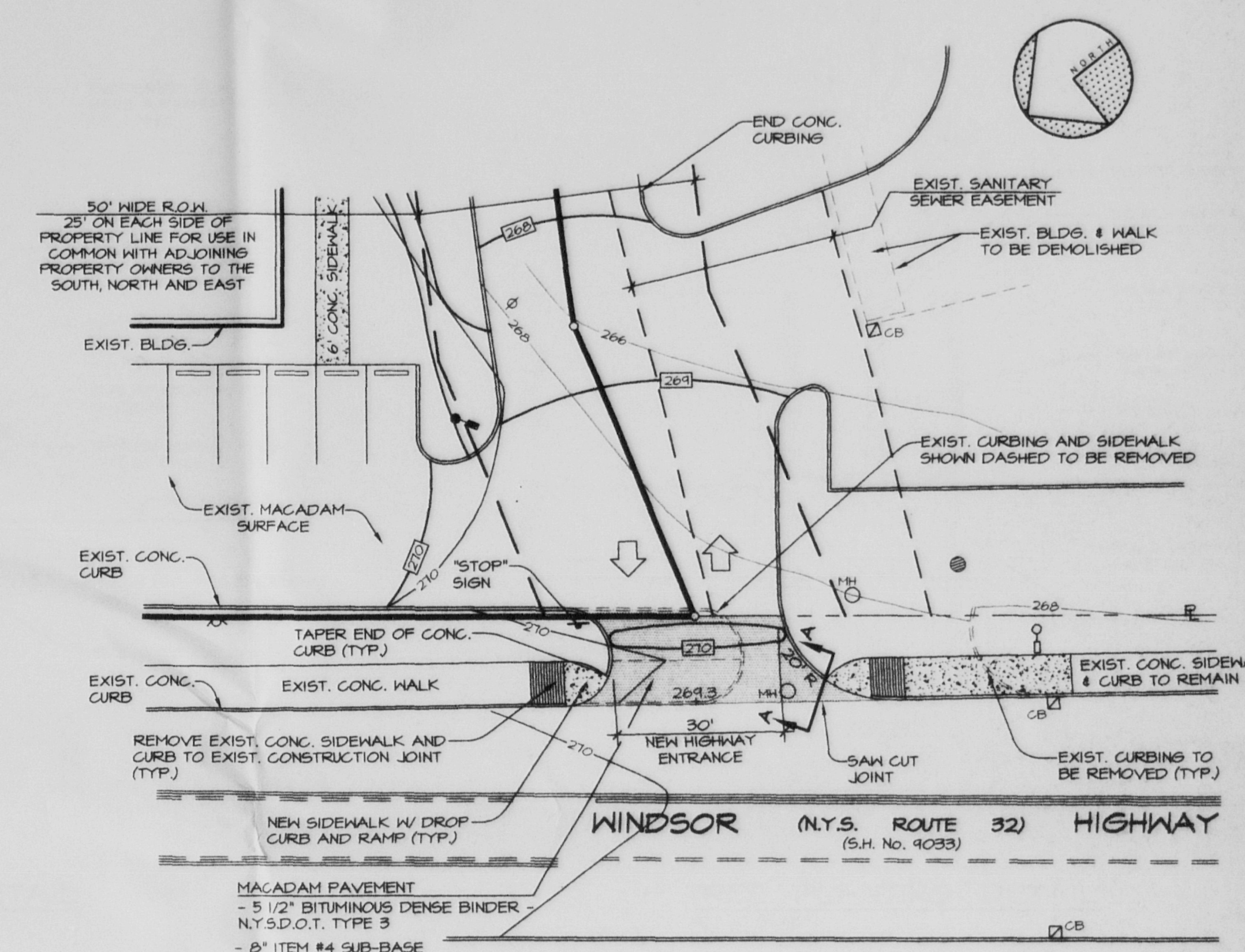
SOUTH HIGHWAY ENTRANCE PLAN
SCALE: 1"=20'





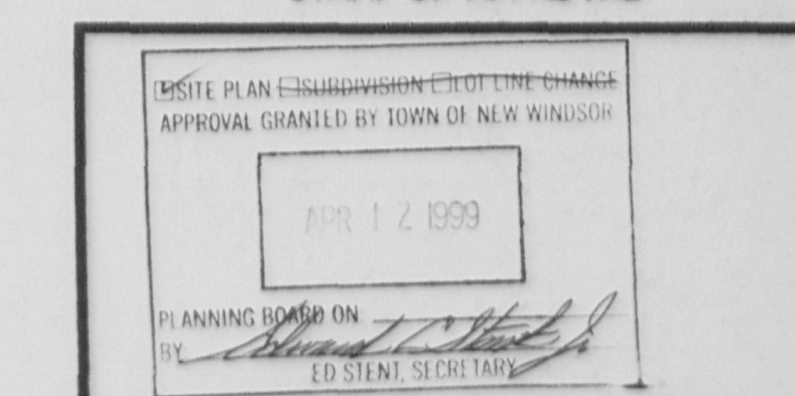
ALTERNATE SITE DEVELOPMENT PLAN

(BASED UPON PROPOSED DEVELOPMENT OF LANDS OF DAIDONE)



SOUTH HIGHWAY ENTRANCE PLAN
AFTER DEVELOPMENT OF PARCEL TO SOUTH
SCALE: 1"=20'

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	SITE LIGHTING OVER DRIVE
--	--------------------------

ISSUE	REVISION
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2-22-194

DATE _____

Drawn By J.R.J.

Checked By: G.J.S.

Scale: $1'' = 20'$ Date: 11-4-1998

Drawing: **ALTERNATE SITE DEVELOPMENT PLAN**

Project: RETAIL EXPANSION FOR
LIZZIE REALTY, L L C

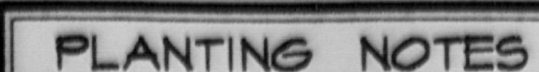
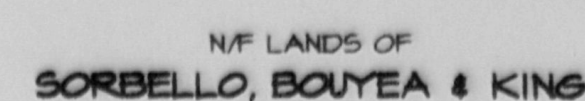
N.Y.S. ROUTE 32 TOWN OF NEW WINDSOR, N.Y.

4

0

1

9:



- PLANT LIST

5' HEIGHT MIN.

EVERGREEN PLANTING TO HAVE A MINIMUM WIDTH OF 4 FEET.

REINFD RUBBER HOSE

DOUBLE #10 GAUGE WIRE TWISTED

CEDAR STAKES W/ BARK ATTACHED, TWO 2' CAL.

BURLAP WRAP W/ 50 % OVERLAP

REMOVE BURLAP FROM TOP OF BALL

FINISH GRADE

MULCH WITH PRE-EMERGENT NEEED KILLER

PRE-MIXED BACKFILL

VARIES

VARIES

12" BALL 12"

2'-0"

6"

VARIES
8'-0" MAX.

VARIES
6"

2'-0"

VARIES

12" BALL 12"

REINFD RUBBER HOSE

DOUBLE #10 GAUGE WIRE TWISTED

CEDAR STAKES W/ BARK ATTACHED, THD 2" GAL.

BURLAP WRAP W/ 50 % OVERLAP

REMOVE BURLAP FROM TOP OF BALL

FINISH GRADE

MULCH WITH PRE-EMERGEN WEED KILLER

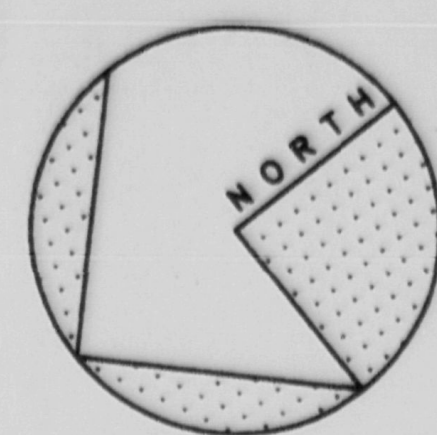
PRE-MIXED BACKFILL

A cross-sectional diagram of a tree pit installation. At the top, a tree is shown with its root system extending into a pit. The pit is filled with a layer of mulch, labeled "MULCH WITH PRE-EMERGENT WEED KILLER". Below the mulch is a layer of "FINISH GRADE". The pit is further filled with "PRE-MIXED BACKFILL". The bottom of the pit is a "BALL" (likely a root ball) with "BURLAP" removed from the top. The diagram includes several dimension lines: a vertical line on the left indicates a depth of "6\""; a horizontal line at the bottom indicates a diameter of "12\""; and a vertical line on the right indicates a height of "12\"".

EVERGREEN & DECIDUOUS SHRUBS

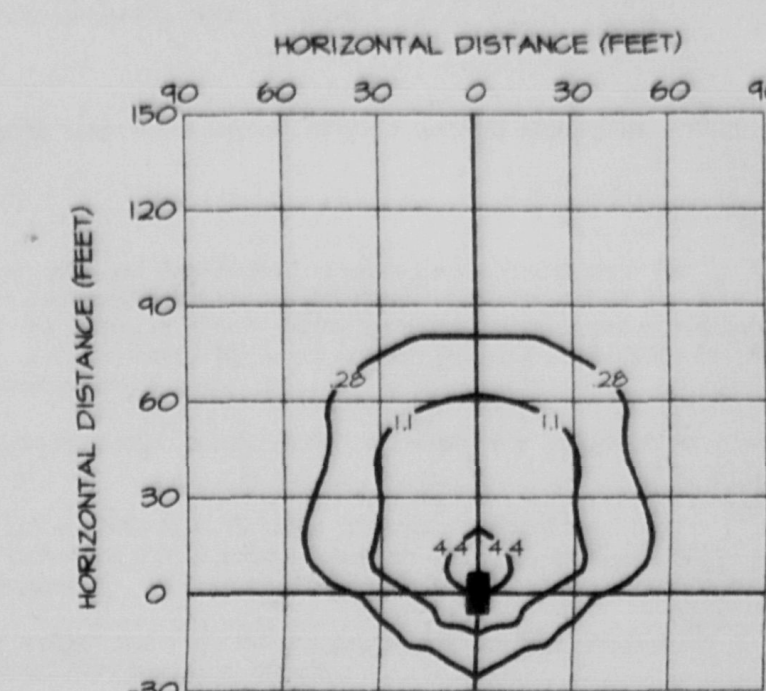
5 OF 8

Project No. 9711



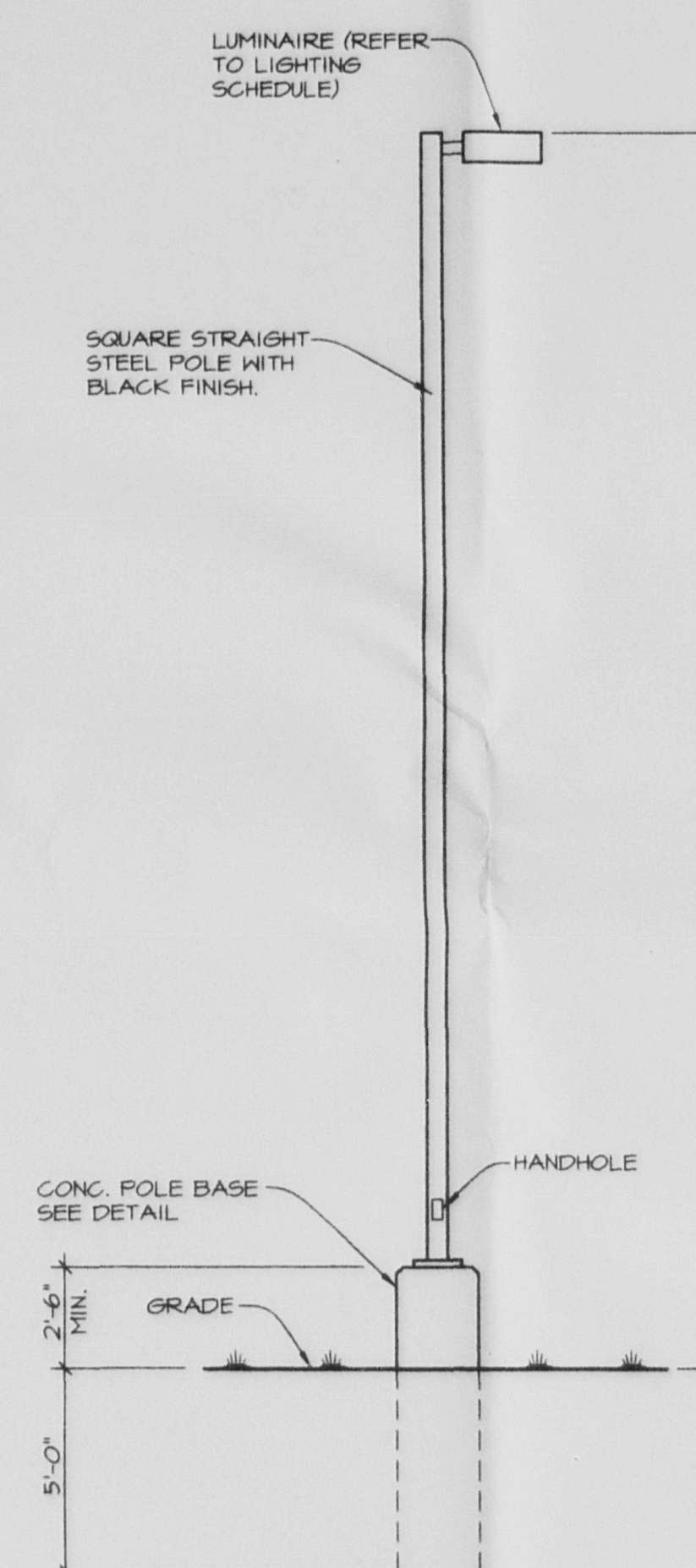
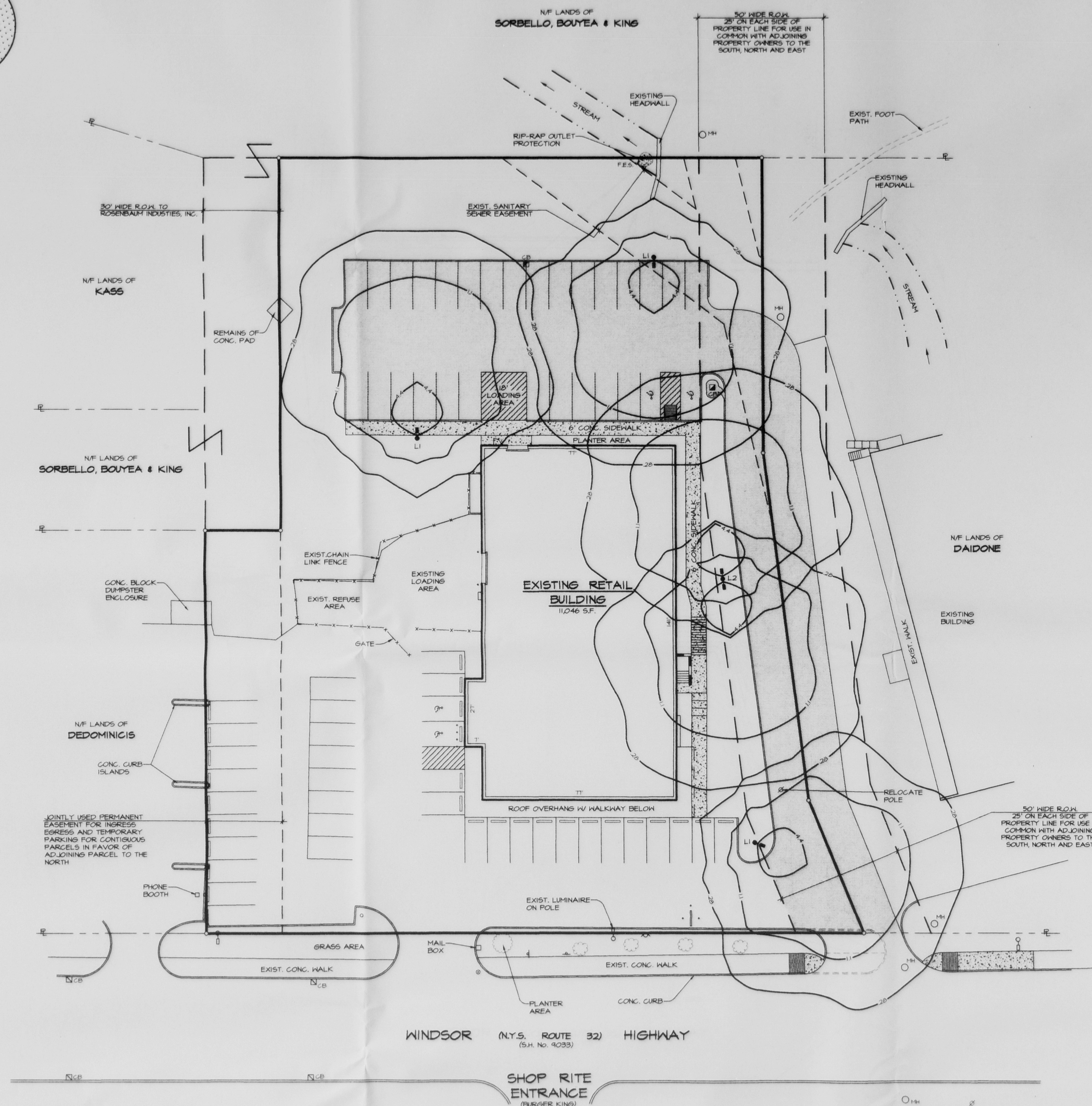
LIGHTING SCHEDULE

- L1: 250 WATT HIGH PRESSURE SODIUM, EXCELINE, SAR SERIES, 30' MOUNTING HEIGHT.
- L2: (2) 250 WATT HIGH PRESSURE SODIUM, EXCELINE, SAR SERIES, 30' MOUNTING HEIGHT.

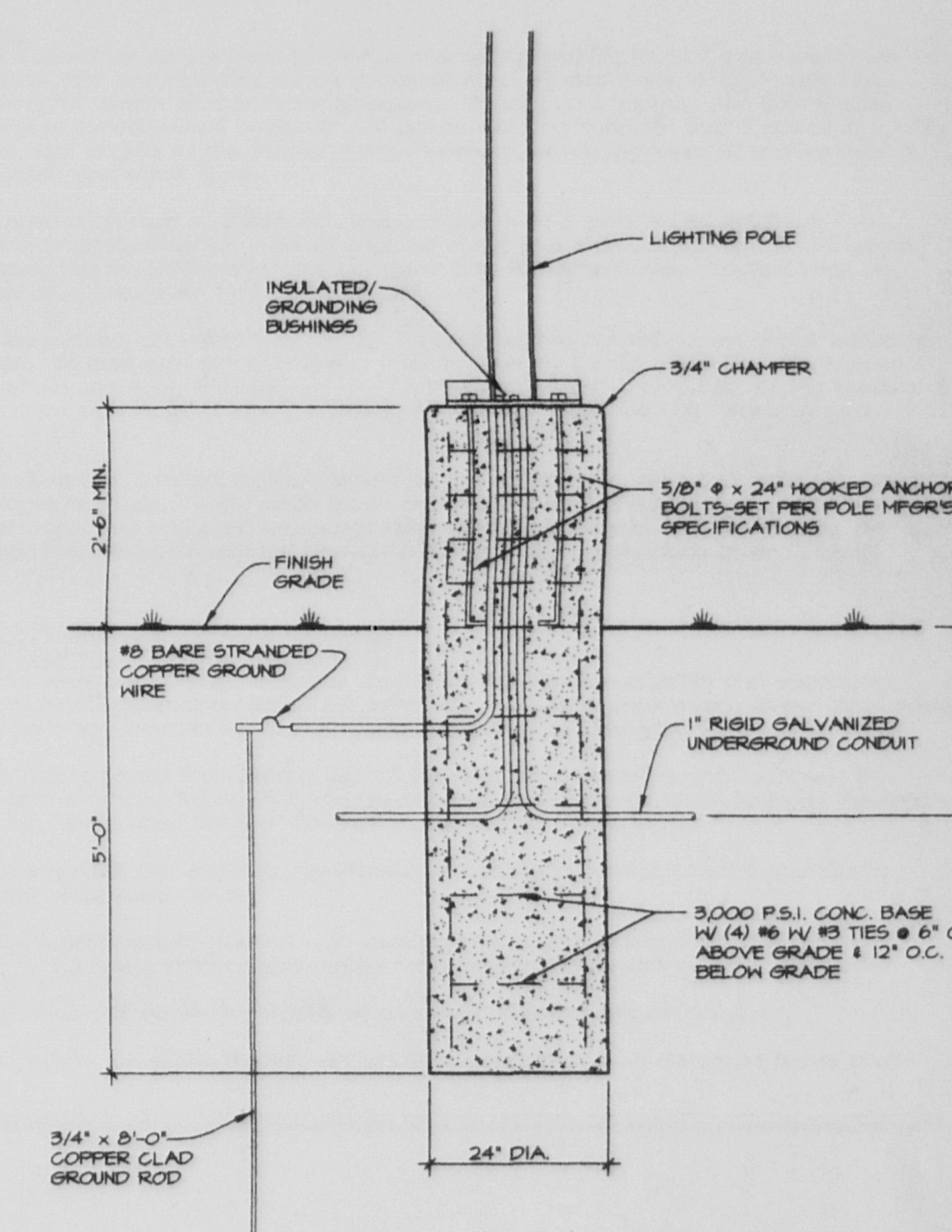


SAR SERIES
AREA / ROADWAY LUMINAIRE
250 WATT HIGH PRESSURE SODIUM
30' MOUNTING HEIGHT

ISOLUX CHART - L1
NOT TO SCALE

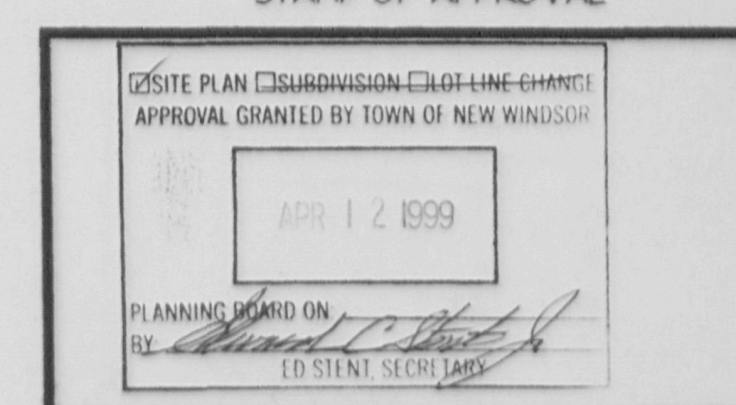


LIGHTPOLE DETAIL
NOT TO SCALE



LIGHTPOLE BASE DETAIL
NOT TO SCALE

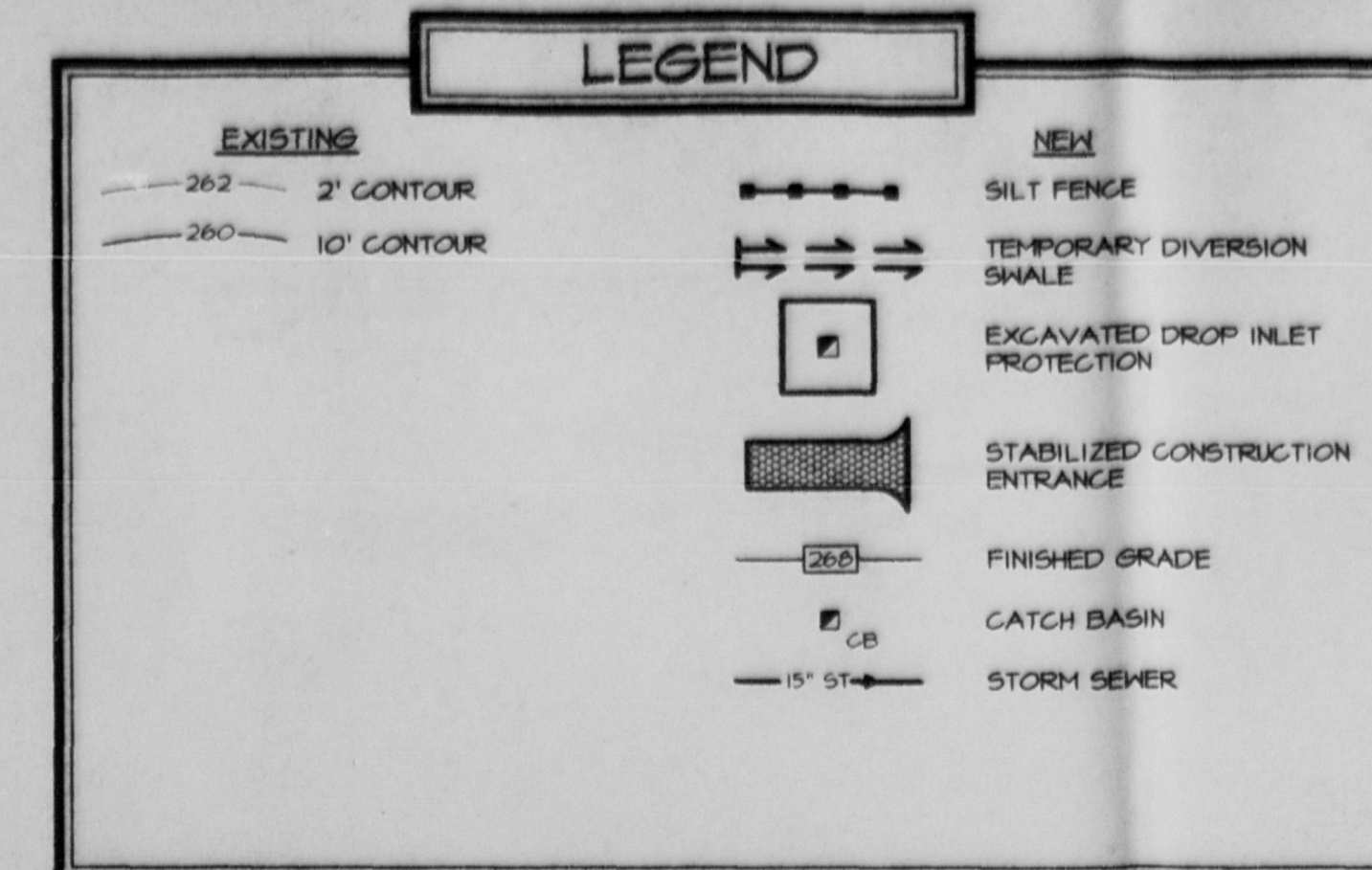
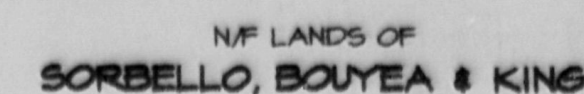
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		Drawing By: J.R.J.		Drawing: LIGHTING PLAN & DETAILS		6 OF 8 Project No. 9711
		Checked By: G.J.S.		Project: RETAIL EXPANSION FOR LIZZIE REALTY, L L C		
		Scale: 1"=20'		N.Y.S. ROUTE 32 TOWN OF NEW WINDSOR, N.Y.		
		Date: 11-4-1998				
ISSUE	SITE LIGHTING OVER DRIVE	REVISION	DATE			
			2-22-1998			



Temporary Diversion Swales
-Temporary diversion swales will be installed in the locations indicated on the drawing for the purpose of diverting stormwater. Swale shall be maintained until the regraded area is stabilized with permanent seeding.

Stabilized Construction Entrance

-Temporary gravel construction entrance shall be installed immediately adjacent to the existing existing macadam pavement. During wet weather it may be necessary to wash vehicle tires at this location. The entrance shall be graded off so that runoff will be directed to the diversion swale. All sediment shall be prevented from entering catch basins.

Silt Fence

-Silt fences shall be installed in the locations specified above, around topsoil stockpile areas, and at the base of all disturbed slopes.

Land Grading

-Finish land surfaces shall be graded as indicated on the plans. Areas to be filled shall be cleared, grubbed, and stripped of topsoil. Remove trees, vegetation, roots or other objectionable material. Fill material shall be free of brush, rubbish, rocks, logs, stumps, building debris, and other objectionable material. Frozen material shall not be placed in the fill nor shall the fill material be placed on a frozen foundation.

-Cut slopes will be 3:1 or flatter for maintenance by mowing, and roughened for vegetative establishment.

-Unless otherwise noted, temporary seed bare soil within 15 days of exposure unless construction will begin within 30 days. If construction is suspended, or sections completed, areas shall be seeded and mulched immediately.

- Topsoil required for the establishment of vegetation will be stockpiled in amount necessary to complete finished grading of all exposed, non-sodded, areas.

- Areas which are to be topsoiled shall be scarified to a minimum depth of three inches prior to placement of topsoil.

Dust Control

-Construction operations shall be scheduled to minimize the amount of area disturbed at one time. Buffer areas of vegetation shall be left where indicated. The site can be sprinkled with water until the surface is wet. The following spray adhesives can be used on mineral soils:

<u>Material</u>	<u>Water Dilution</u>	<u>Type of nozzle</u>	<u>Apply Gallons per acre</u>
Acrylic Polymer	4:1	Coarse Spray	500
Latex Emulsion	125:1	Fine Spray	235
Resin in water	4:1	Fine Spray	300

Temporary And Permanent Seedlings

-Seeding preparation includes removal of debris and obstacles such as rocks and stumps, scarify soil if compacted. Adjust pH to 6.0 with lime, and fertilize with 600 lbs of 5-10-10 or equivalent per acre. All disturbed areas shall be temporarily seed if construction does not resume in 15 days.

-Apply <u>permanent</u> seeding consisting of:	
Empire birdsfoot trefoil or common white clover	8 lbs per acre
Plus tall fescue	20 lbs per acre
Plus Ryegrass	8 lbs per acre

- Apply temporary seeding consisting of Ryegrass (annual or perennial) at 30 lbs per acre.

-The optimum time for permanent seeding is in the spring from March 21 through May 20, and in late summer and early fall from August 25 to October 15. Permanent seedings may be made any time of year if properly mulched and adequate moisture is provided. Broadcasting, drilling with cultipack type seeder or hydroseeding are acceptable.

Topsoil/Mulching

-Where vegetation will be established, preserve and apply existing topsoil and friable fine textured subsoils that are stripped during excavation. Complete rough grading and final grading, allowing for depth of topsoil to be added. Scarify all compact, slow permeable, medium and fine textured subsoil areas. In soil areas that are steeper than 5 percent, scarify approximately right angles to the slope. Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.

-Topsoil shall have a minimum of 2 percent, and a maximum of 6 percent by weight of fine textured stable organic material. Topsoil shall have not less than 20 percent fine textured material (passing the No. 200 sieve) and not more than 15 percent clay. Topsoil shall be relatively free of stones over 1 1/2 inches in diameter.

-Topsoil shall be placed at a uniform depth of 2 inches for the steep slopes, and 4 inches for the lawn areas. Topsoil shall not be placed when it is partly frozen, muddy, nor on frozen slopes or over ice, snow, or standing water. Topsoil placed and graded on slopes steeper than 5 percent shall be promptly fertilized, seeded, mulched and stabilized by "tracking" with suitable equipment.

-If soil is compacted or crusted, surface should be loosened to at least two inches by disking or other suitable methods. Straw mulch (small grain) is preferred applied at an application rate of 2 tons per acre, and anchored with wood fiber mulch (hydrumulch) at 500-750 lbs. per acre. The wood fiber mulch must be applied through a hydroseeder immediately after mulching.

MAINTENANCE REQUIREMENTS AND SCHEDULES

EROSION AND SEDIMENT CONTROL MEASURES

-All erosion and sediment control measures shall

Following every runoff producing rainfall but in no case less than once every week. Any needed repairs shall be made immediately to maintain all measures as designed.

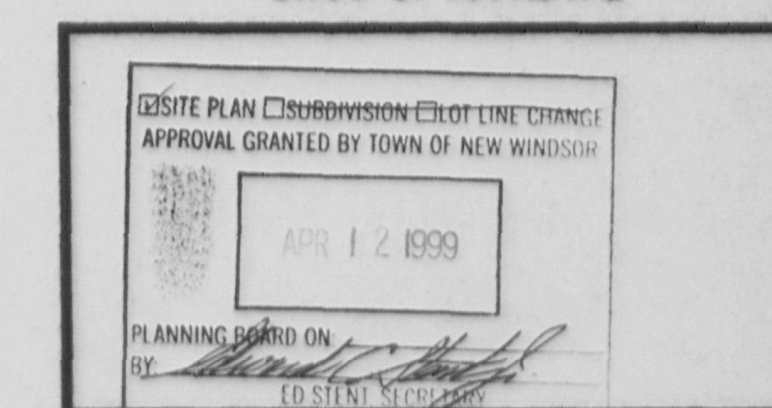
- Sediment shall be removed from behind the silt fence when it becomes approximately 6 inches deep at the fence. Insure that no concentrated flows are directed towards the fence. Replace the silt fence when "bulges" develop in the fence.

-All seeded areas shall be fertilized, re-seeded as necessary, and mulched to maintain a vigorous, dense vegetative cover.

-Sediment spilled, dropped, or washed onto existing macadam roadways must be removed immediately. All sediment shall be prevented from entering the storm drains. Additional aggregate shall be added to the stabilized construction entrances as required.

- Maintain dust control measures through dry weather periods until all disturbed areas are stabilized.

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ISSUE	REVISION	DATE

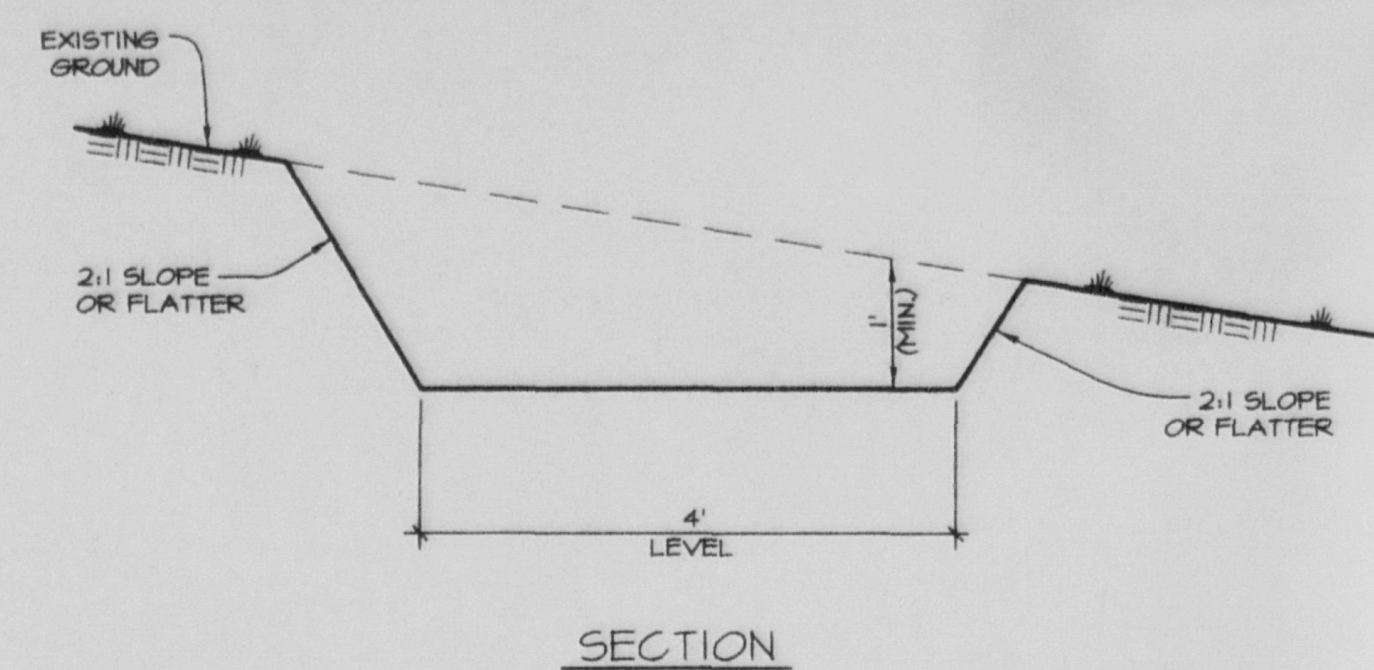
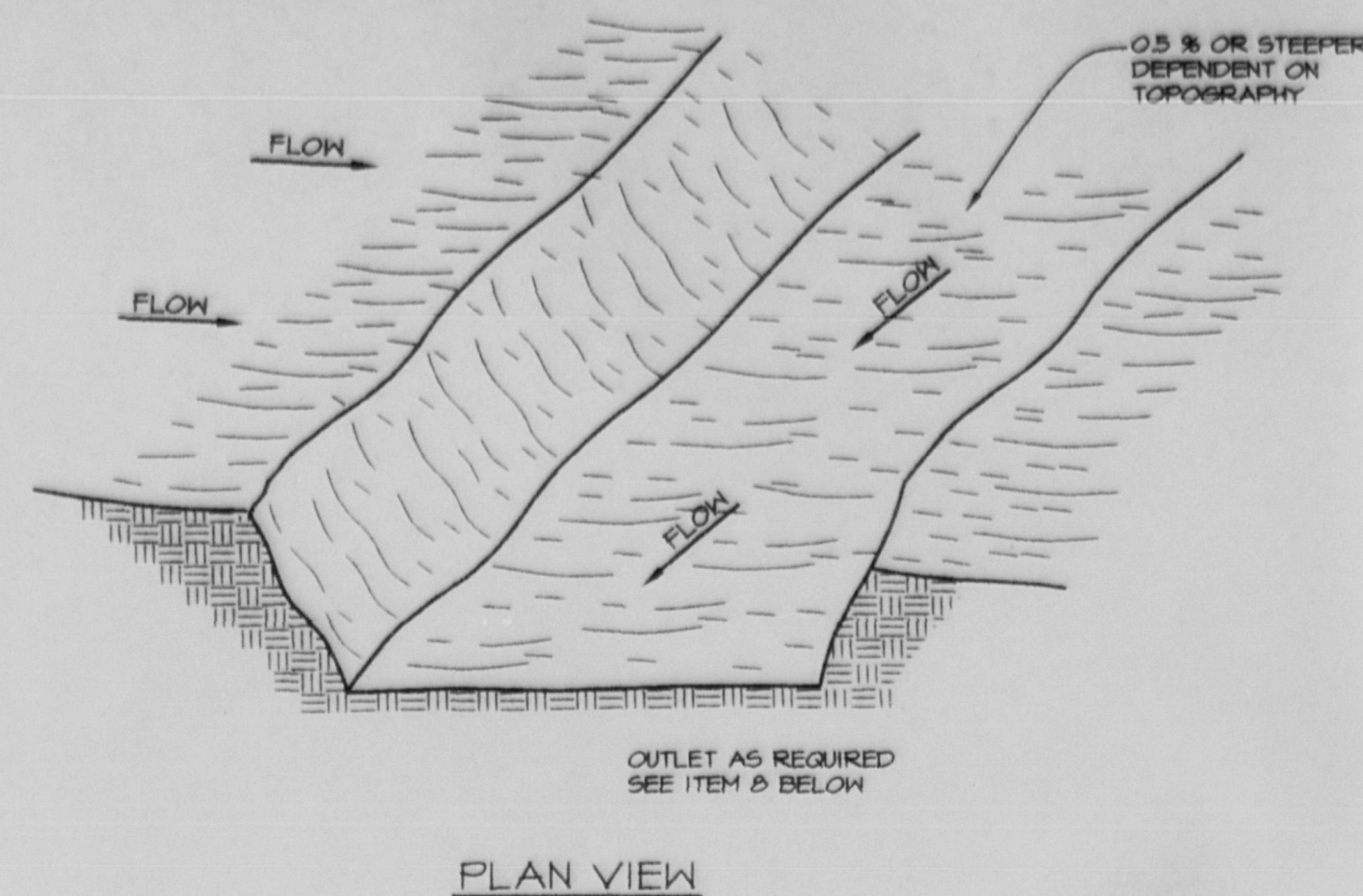
Drawn By: <u>J.R.J.</u>	Drawing: <u>EROSION CONTROL PLAN & MEASURES</u>
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Checked By: C.J.S.
Scale: 1" = 20'
Project: RETAIL EXPANSION FOR
LIZZIE REALTY, L L C

Date: 11-4-1998 NY 6 ROUTE 32 TOWN OF NEW HAVEN

7 OF 8

Project No. 9711

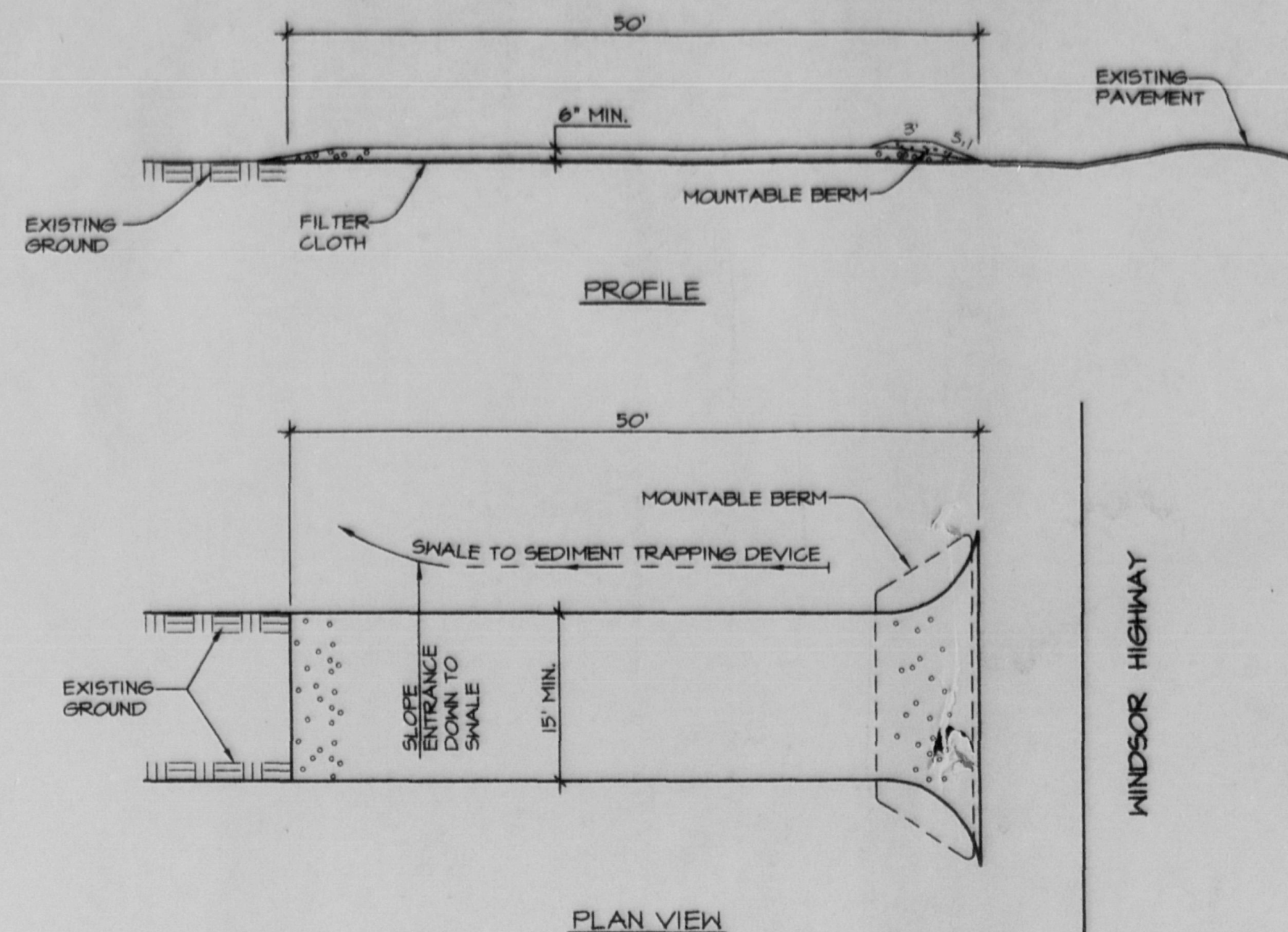


TEMPORARY SWALE DETAIL

NOT TO SCALE

CONSTRUCTION SPECIFICATIONS

- ALL TEMPORARY SWALES SHALL HAVE UNINTERRUPTED POSITIVE GRADE TO AN OUTLET.
 - DIVERTED RUNOFF FROM DISTURBED AREAS SHALL BE CONVEYED TO A STORM INLET SEDIMENT TRAP.
 - DIVERTED RUNOFF FROM AN UNDISTURBED AREA SHALL OUTLET DIRECTLY INTO AN UNDISTURBED STABILIZED AREA AT NON-EROSIVE VELOCITY.
 - ALL TREES, BRUSH, STUMPS, OBSTRUCTIONS, AND OTHER OBJECTABLE MATERIAL SHALL BE REMOVED AND DISPOSED OF SO AS NOT TO INTERFERE WITH THE PROPER FUNCTIONING OF THE SWALE.
 - THE SWALE SHALL BE EXCAVATED OR SHAPED TO LINE, GRADE, AND CROSS SECTION AS REQUIRED TO MEET THE CRITERIA SPECIFIED HEREIN AND BE FREE OF BANK PROJECTIONS OR OTHER IRREGULARITIES WHICH WILL IMPEDE NORMAL FLOW.
 - FILLS SHALL BE COMPACTED BY EARTH MOVING EQUIPMENT.
 - ALL EARTH REMOVED AND NOT NEEDED ON CONSTRUCTION SHALL BE PLACED SO THAT IT WILL NOT INTERFERE WITH THE FUNCTIONING OF THE SWALE.
 - STABILIZATION SHALL BE AS PER THE CHART BELOW:
- | TYPE OF TREATMENT | CHANNEL GRADE | SWALE |
|-------------------|---------------|----------------------|
| 1 | 0.5-3.0% | SEED AND STRAW MULCH |
- PERIODIC INSPECTION AND REQUIRED MAINTENANCE MUST BE PROVIDED AFTER EACH RAIN EVENT.

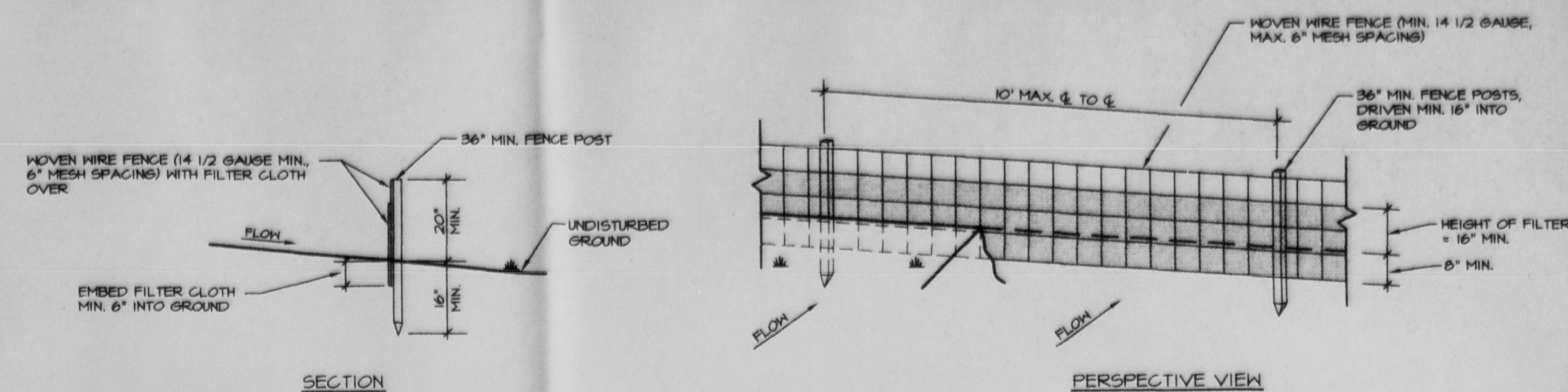


STABILIZED CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

CONSTRUCTION SPECIFICATIONS

- STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
- LENGTH - FIFTY (50) FEET.
- THICKNESS - SIX (6) INCHES.
- WIDTH - FIFTEEN (15) FEET, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS.
- FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
- SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE DIRECTED TO A SWALE DISCHARGING TO A SEDIMENT TRAPPING DEVICE. PROVIDE A MOUNTABLE BERM WITH 5:1 SLOPES.
- MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADWAY. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACED ONTO ROADWAY MUST BE REMOVED IMMEDIATELY.
- WHEN VEHICLE WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
- PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.



SILT FENCE DETAIL

NOT TO SCALE

CONSTRUCTION SPECIFICATIONS

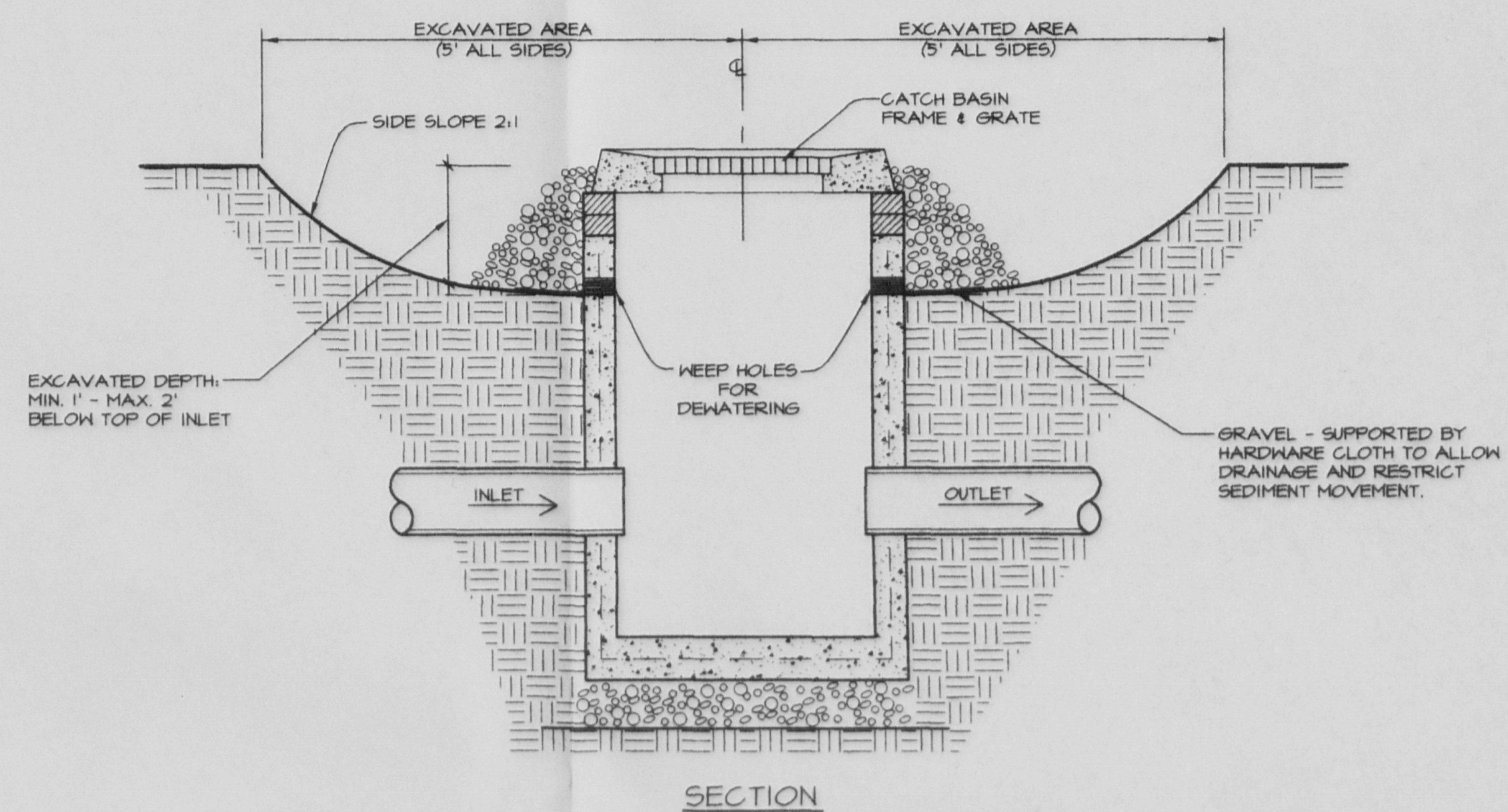
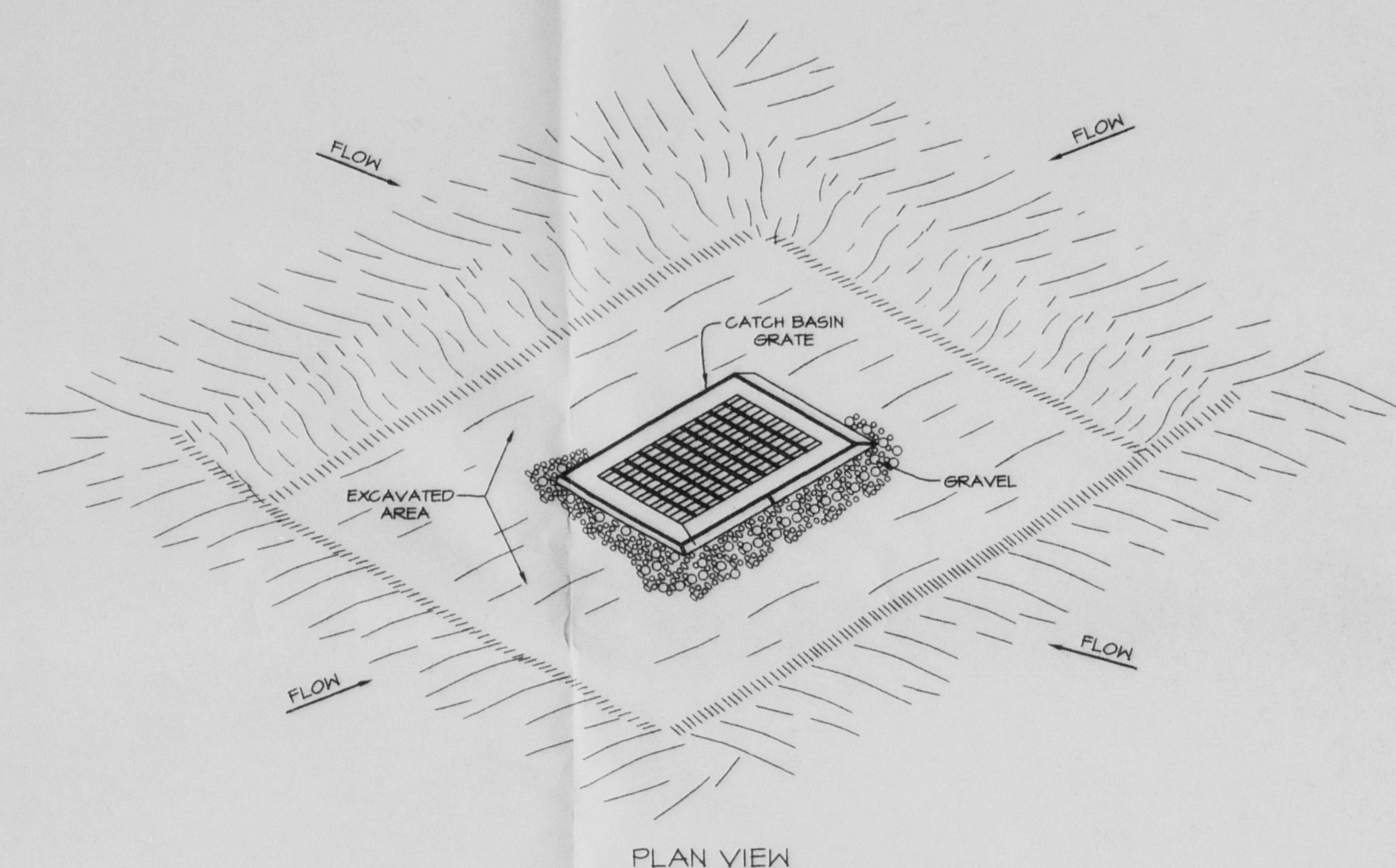
- HOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES.
- FILTER CLOTH TO BE FASTENED SECURELY TO HOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

POSTS: STEEL EITHER 1" OR 1 1/2" TYPE OR 2" HARDWOOD

FENCE: HOVEN WIRE, 14 1/2 GAUGE 6" MAX. MESH OPENING

FILTER CLOTH: FILTER KIRKPI 100X, STABILIZATION OR APPROVED EQUAL

PREFABRICATED UNIT: GEOPAB, ENVIROFENCE, OR APPROVED EQUAL



EXCAVATED DROP INLET PROTECTION DETAIL

NOT TO SCALE

CONSTRUCTION SPECIFICATIONS

- CLEAR THE AREA OF ALL DEBRIS THAT WILL HINDER EXCAVATION.
- GRADE APPROACH TO THE INLET UNIFORMLY AROUND THE BASIN.
- KEEP HOLES SHALL BE PROTECTED BY GRAVEL.
- UPON STABILIZATION OF CONTRIBUTING DRAINAGE AREA, SEAL KEEP HOLES, FILL BASIN WITH STABLE SOIL TO FINAL GRADE, COMPACT IT PROPERLY AND STABILIZE WITH PERMANENT SEEDINGS.

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Drawn By: J.R.J.

Checked By: G.J.S.

Scale: AS SHOWN

Date: 11-4-1998

Drawing: EROSION & SEDIMENT CONTROL DETAILS

Project: RETAIL EXPANSION FOR LIZZIE REALTY, L.L.C.

N.Y.S. ROUTE 92 TOWN OF NEW WINDSOR, N.Y.

8 OF 8

Project No. 9711